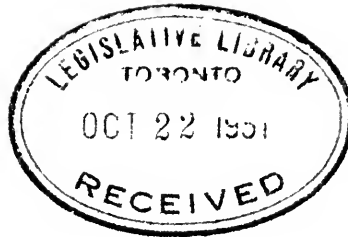


ONTARIO  
Gov't. P.



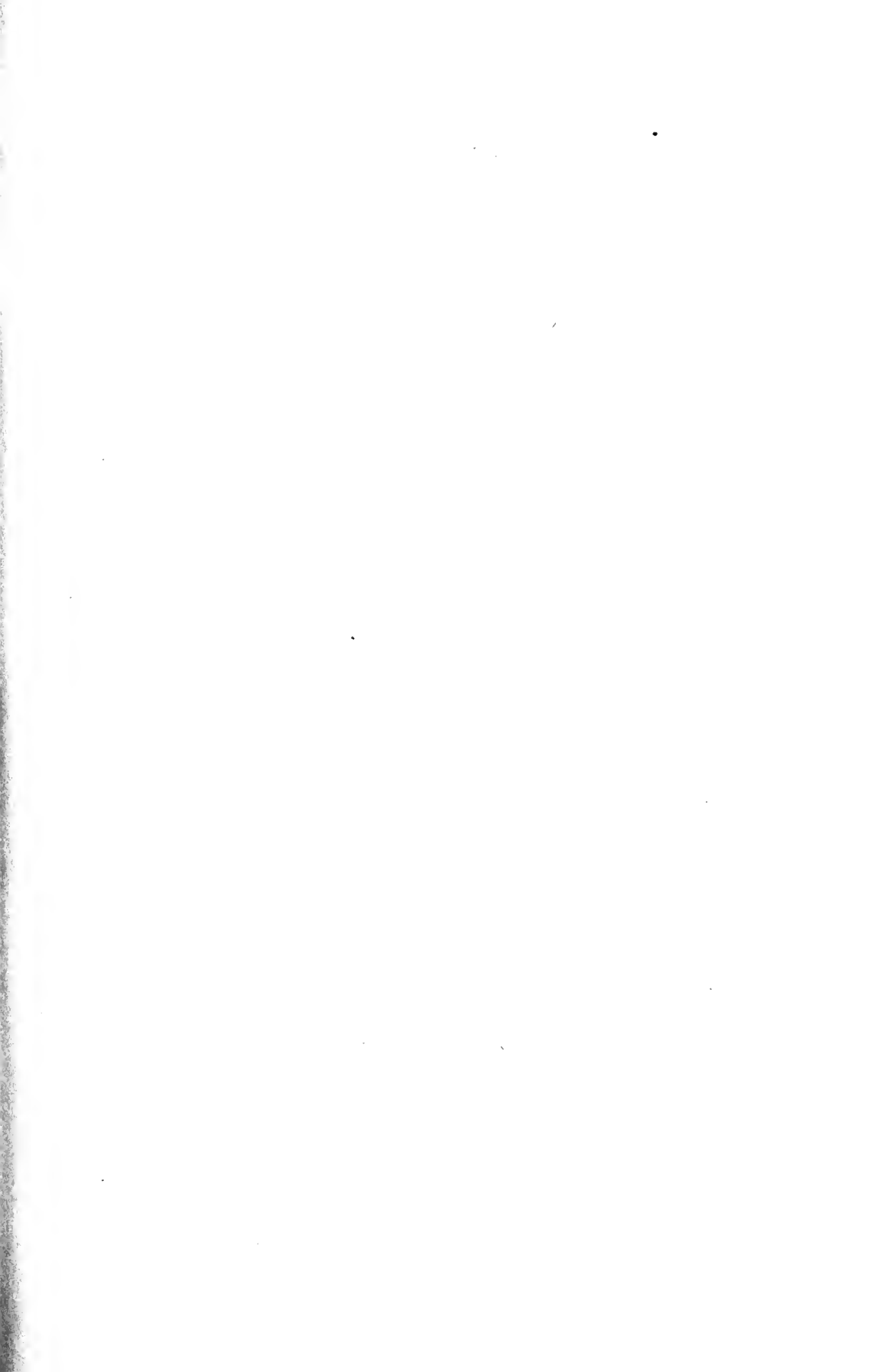














LEGISLATIVE ASSEMBLY  
OF ONTARIO

11 8090

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BILLS

AS INTRODUCED IN THE HOUSE

TOGETHER WITH

REPRINTS AND THIRD READINGS

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11 8090

SESSION

FEBRUARY 1st to APRIL 5th

1951





# INDEX

---

A	Bill No.
Active Service Election Act, 1951, The.....	134
Adoption Act, The—Act to amend.....	51
Alcoholism Research Foundation Act, The—Act to amend.....	143
Anshe-Sholem of Hamilton, Jewish Congregation—Act respecting.....	5
Assessment Act, The—Act to amend (Lapsed).....	34
—Act to amend.....	126
Assessment, Uniformity of, in Greater Toronto—Act to provide for.....	153

B	
Barclays Trust Company of Canada—Act respecting.....	3
Beds of Navigable Waters Act, The—Act to amend.....	145
Belleville Bus Franchise, City of—Act respecting.....	21
Boards of Education Act, The—Act to amend.....	72
Boilers and Pressure Vessels Act, 1951, The.....	80
Brockville General Hospital—Act respecting.....	28

C	
Change of Name Act, The—Act to amend.....	71
Charitable Institutions Act, The—Act to amend.....	83
Charities Accounting Act, The—Act to amend.....	158
Children's Protection Act, The—Act to amend.....	111
Community Centres Act, The—Act to amend.....	138
Companies Act, The—Act to amend.....	155
Consolidated Revenue Fund—Act to authorize the Raising of Money on the Credit of the.....	151
Consumers' Gas Company of Toronto—Act respecting (Motion for 2nd Reading defeated).....	97
Continuation Schools Act, The—Act to amend.....	73
Coroners Act, The—Act to amend.....	103
County Judges Act, The—Act to amend.....	38

D	
Day Nurseries Act, The—Act to amend.....	50
Department of Education Act, The—Act to amend.....	44
Department of Municipal Affairs Act, The—Act to amend.....	124
Deserted Wives' and Children's Maintenance Act, The—Act to amend....	40
Division Courts Act, The—Act to amend (Thirty days hoist).....	128

## E

## Bill No.

East York, Township of—Act respecting.....	23
Education Act, The Department of—Act to amend.....	44
Election Act, The—Act to amend (Six months hoist).....	60
Election Act, 1951, The.....	110
Elmira, Town of—Act respecting (Withdrawn).....	32
Equal Pay for Equal Work Act, 1951, The (Withdrawn).....	68
Escheats Act, The—Act to amend.....	135

## F

Factory, Shop and Office Building Act, The—Act to amend.....	92
Fair Employment Practices—Act respecting (Withdrawn).....	56
—Act respecting (Withdrawn).....	57
—Act respecting (Withdrawn).....	59
Fair Employment Practices in Ontario—Act to promote (Withdrawn).....	90
—Act to promote.....	121
Fair Remuneration to Female Employees—Act to ensure.....	120
Farm Products Marketing Act, The—Act to amend.....	116
Female Employees—Act to ensure Fair Remuneration to.....	120
Fire Departments Act, The—Act to amend.....	76
Forest Fires Prevention Act, The—Act to amend.....	105
Forest Reserves, Private, Act, The—Act to amend.....	106
Fort William, City of—Act respecting.....	13

## G

Game and Fisheries Act, The—Act to amend.....	130
Gas Pipe Lines—Act respecting.....	108
General Trust of Canada—Act respecting.....	8
Greater Niagara General Hospital—Act to incorporate.....	29
Greater Niagara Y.M.C.A.—Act to incorporate.....	15
Greater Toronto—Act to provide for Uniformity of Assessment in.....	153

## H

Hamilton, City of—Act respecting.....	19
Hamilton Foundation—Act to incorporate (Withdrawn).....	17
Hespeler, Town of—Act respecting (Withdrawn).....	25
High Schools Act, The—Act to amend.....	100
Highway Improvement Act, The	
—Act to amend (Motion for 2nd Reading defeated)	84
—Act to amend.....	93
Highway Traffic Act, The	
—Act to amend (Motion for 2nd Reading defeated)	39
—Act to amend (Motion for 2nd Reading defeated)	61
—Act to amend.....	152
Home Owners' Equities—Act to protect (Motion for 2nd Reading defeated)	85
Homes for the Aged Act, The—Act to amend.....	82

Hospitals Tax Act, The—Act to amend.....	150
Hours of Work and Vacations with Pay Act, The	
—Act to amend (six months hoist)	36
—Act to amend (six months hoist)	52
—Act to amend (six months hoist)	63
—Act to amend (six months hoist)	65
—Act to amend (six months hoist)	86
Housing Development Act, The—Act to amend.....	77

## I

Income Tax Act (Ontario), The—Act to suspend, in respect of Income of the Calendar Year, 1950.....	160
Insurance Act, The—Act to amend (Motion for 2nd Reading defeated)....	87
—Act to amend.....	154

## J

Jewish Community Centre of Toronto—Act respecting.....	16
Jewish Congregation Anshe-Sholem of Hamilton—Act respecting.....	5
Judicature Act, The—Act to amend.....	107
Jurors Act, The—Act to amend.....	119
Justices of the Peace Act, The—Act to amend.....	41

## L

Labour Relations Act, The—Act to amend (Lapsed).....	89
Land Titles Act, The—Act to amend.....	42
Land Transfer Tax Act, The—Act to amend.....	147
Law Society Act, The—Act to amend.....	136
Leaseholds—Act to provide for the Regulation of.....	133
Liquor Licence Act, The—Act to amend (Withdrawn).....	69
—Act to amend.....	99
Local Improvement Act, The—Act to amend.....	123
London, City of—Act respecting.....	14

## M

Malton, Town of—Act to incorporate (Withdrawn).....	30
Marriage Act, The—Act to amend (Motion for 2nd Reading defeated)....	88
Mental Hospitals Act, The—Act to amend.....	78
Milk Control Act, The—Act to amend (Withdrawn).....	115
—Act to amend.....	129
Minimum Wage Act, The—Act to amend (Lapsed).....	62
Mining Act, The—Act to amend.....	54
—Act to amend.....	137
Moore, Township of—Act respecting.....	11
Mothers' Allowances Act, The—Act to amend.....	112

Municipal Act, The—Act to amend.....	49
—Act to amend (Lapsed).....	55
—Act to amend (Motion for 2nd Reading defeated)....	70
—Act to amend (Withdrawn).....	94
—Act to amend.....	127
Municipal Affairs Act, The Department of—Act to amend.....	124
Municipal Elections—Act to extend the Right to Vote at, to the Classes of Persons that may Vote at Elections to the Assembly (Order for 2nd Reading discharged).....	47

## N

Name Act, The Change of—Act to amend.....	71
Natural Gas Conservation Act, The—Act to amend.....	91
Navigable Waters Act, The Beds of—Act to amend.....	145
Niagara Falls, City of—Act respecting.....	1
Niagara, Greater, General Hospital—Act to incorporate.....	29
Niagara, Greater, Y.M.C.A.—Act to incorporate.....	15
Niagara Parks Act, The—Act to amend.....	141
Niagara River—Act to approve an Agreement between Canada and Ontario respecting the Development of the.....	132
Niagara River—Act to facilitate the Development of Power on the.....	118
Nurses, Registration of—Act respecting the.....	139
Nursing—Act respecting.....	140

## O

Old Age Pensions Act, The—Act to amend.....	81
Oleomargarine Act, The—Act to amend.....	114
Ontario, Incorporated Synod of the Diocese of, and St. Thomas Church, Belleville—Act respecting.....	18
Ontario Loan Act, 1951, The.....	151
Optometry Act, The—Act to amend.....	159
Oshawa, City of—Act respecting.....	26
Ottawa, City of—Act respecting.....	24
Ottawa, Incorporated Synod of the Diocese of—Act respecting.....	22

## P

Pharmacy Act, The—Act to amend.....	156
Planning Act, The—Act to amend.....	53
Police Act, The—Act to amend.....	95
—Act to amend (Withdrawn).....	98
Power Commission Act, The—Act to amend.....	117
—Act to amend.....	161
Preston, Town of—Act respecting (Withdrawn).....	6
Private Forest Reserves Act, The—Act to amend.....	106
Provincial Loans Act, The—Act to amend.....	149
Public Health Act, The—Act to amend.....	144
Public Lands Act, The—Act to amend.....	131

Public Officers' Fees Act, The—Act to amend.....	101
Public Schools Act, The—Act to amend (six months hoist).....	64
—Act to amend.....	74
Public Service Act, The—Act to amend.....	48
Public Utilities Act, The—Act to amend.....	122

## R

Racing Commission Act, The—Act to amend.....	37
Railway Fire Charge Act, The—Act to amend.....	67
Registry Act, The—Act to amend.....	142
Revised Statutes of Ontario, 1950—Act to confirm.....	35
Rideau Club—Act respecting.....	2
Rural Telephone Systems—Act respecting.....	146

## S

St. Catharines, City of—Act respecting.....	33
St. Thomas Church, Belleville, and the Incorporated Synod of the Diocese of Ontario—Act respecting.....	18
St. Thomas, City of—Act respecting.....	10
Sanatoria for Consumptives Act, The—Act to amend.....	79
Sarnia, City of—Act respecting.....	9
School Sites Act, The—Act to amend.....	45
Statute Law Amendment Act, 1951, The.....	157
Succession Duty Act, The—Act to amend.....	148
Supply Act, 1951, The.....	162

## T

Teachers' Superannuation Act, The—Act to amend.....	75
Toronto, City of—Act respecting.....	27
Training Schools Act, The—Act to amend.....	58
Trustee Act, The—Act to amend.....	96

## U

Unclaimed Articles Act, The—Act to amend.....	43
Unemployment Relief Act, The—Act to amend.....	113
Uniformity of Assessment in Greater Toronto—Act to provide for.....	153
United Church of Canada—Act respecting.....	7

## V

Victoria University—Act respecting.....	31
Vital Statistics Act, The—Act to amend.....	125
Vocational Education Act, The—Act to amend.....	46
Voters' Lists Act, 1951, The.....	109

**W**

Windsor Utilities Commission—Act respecting.....	20
Wolf and Bear Bounty Act, The—Act to amend.....	104
Woodstock, City of—Act respecting.....	12
Workmen's Compensation Act, The—Act to amend.....	66
—Act to amend (six months hoist)....	107
Wycliffe College—Act respecting.....	4

**Y**

Y.M.C.A. of Greater Niagara—Act to incorporate.....	15
York, East, Township of—Act respecting.....	23

No. 1

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Niagara Falls

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MR. HOUCK

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





No. 1

1951

# BILL

## An Act respecting the City of Niagara Falls

**W**HEREAS the Corporation of the City of Niagara Falls Preamble.  
by its petition has represented that it has entered into  
an agreement with the Public Utilities Commission of the  
Township of Stamford and the Corporation of the Township  
of Stamford respecting the furnishing of a supply of water  
to the said Township authorities, and that it is desirable  
and in the interests of all the said parties that the agreement  
and the by-law authorizing it should be validated and con-  
firmed, and that the said parties should be empowered to  
carry out the terms of the agreement and to extend the term  
of the agreement for a further period of ten years; and whereas  
the petitioner in pursuance of the terms of the agreement has  
prayed that an Act may be passed for such purposes; and  
whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.**—(1) The by-law and the agreement forming part thereof, By-law and  
agreement  
validated.  
set out as the Schedule hereto, are confirmed and declared  
to be legal, valid and binding in the same manner and to  
the same extent as if set out at length and the provisions  
thereof enacted in this Act, and the parties to the agree-  
ment may pass such other by-laws and enter into such other  
agreements and do all such other acts, matters and things  
as may be deemed necessary by the parties for the full and  
proper carrying out of the provisions of the agreement.

(2) The parties to the agreement may enter into a supple- Extension  
of term of  
agreement  
authorized.  
mental agreement extending the term of the agreement for  
a further term of ten years from the 1st day of May, 1960, to  
the 30th day of April, 1970.

**2.** This Act shall come into force on the day it receives Commence-  
ment.  
the Royal Assent.

**3.** This Act may be cited as *The City of Niagara Falls* Short title.  
*Act, 1951.*

## SCHEDULE

BY-LAW No. 4557

To authorize the execution of an agreement with the Public Utilities Commission of the Township of Stamford and the Corporation of the Township of Stamford for the supply of water to the Public Utilities Commission of the Township of Stamford and the Corporation of the Township of Stamford and to petition the Legislature for a Private Bill to authorize the execution of a supplementary agreement for a total period of twenty years.

WHEREAS the Corporation of the City of Niagara Falls is the owner of a filtration plant for the supply of water to the residents of the Corporation of the City of Niagara Falls, such plant, with some minor additions, being of greater capacity than is required to supply the needs of the Corporation;

AND WHEREAS the Public Utilities Commission of the Township of Stamford and the Corporation of the Township of Stamford are desirous of obtaining from the Corporation of the City of Niagara Falls a supply of water for residents of the Corporation of the Township of Stamford;

AND WHEREAS it is considered to be for the benefit of both parties to have the agreement in force for a period of twenty years;

NOW THEREFORE the Municipal Council of the Corporation of the City of Niagara Falls enacts as follows:

1. The Mayor and Clerk of the City of Niagara Falls are hereby authorized, instructed and directed to execute an agreement set forth in Schedule 1 hereto, which is hereby incorporated in and made a part of this by-law; to attach the seal of the Corporation thereto and forthwith thereafter to deliver the same to the Public Utilities Commission of the Township of Stamford and the Corporation of the Township of Stamford.

2. The Mayor, Clerk, Solicitor and Manager and other municipal officers of the City of Niagara Falls are hereby authorized and instructed to take such steps and proceedings and to do such things as may be reasonably necessary to apply to the Legislature of the Province of Ontario to procure the passing of a Special Act granting to the Municipal Corporation of the City of Niagara Falls, the Municipal Corporation of the Township of Stamford and the Public Utilities Commission of the Township of Stamford authority to enter into the agreement for the supply of water to the Corporation of the Township of Stamford and the Public Utilities Commission of the Township of Stamford upon the terms mentioned in Schedule 1 hereto for a total period of twenty years.

READ a first and second times in Council this 10th day of July, A.D. 1950.

ENACTED AND PASSED in Council this 14th day of August, A.D. 1950.

W. L. HOUCK,  
Mayor.  
D. C. PATTEN,  
Clerk.

*Schedule 1*

THIS AGREEMENT made in triplicate this 1st day of May, A.D. 1950.

BY AND BETWEEN:

THE CORPORATION OF THE CITY OF NIAGARA FALLS, in  
the Province of Ontario, hereinafter called the "City",

OF THE FIRST PART,

—and—

THE PUBLIC UTILITIES COMMISSION OF THE TOWNSHIP  
OF STAMFORD AND THE CORPORATION OF THE TOWNSHIP  
OF STAMFORD, in the Province of Ontario, hereinafter  
called the "Purchasers",

OF THE SECOND PART.

WHEREAS the City is the owner of a filtration plant for the supply of water to the residents of the Corporation of the City of Niagara Falls, such plant with some minor additions being of greater capacity than is required to supply the needs of the Corporation, and the Purchasers are desirous of obtaining from such filtration plant a supply of water for residents of the Corporation of the Township of Stamford;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the agreement of the Purchasers hereinafter set out, the City agrees with the Purchasers to furnish from the said plant through approved meters, a supply of water at connections with the mains of the Purchasers at McLeod Road, Dunn Street, Orchard Avenue, Locust Avenue, Edward Avenue, Ash Street, Munroe Street, Taylor Street, Culp Street, Maranda Street, Barker Street, Ker Street, Lundy's Lane, Arthur Street, Morden Drive, Morrison Street, Stanley Avenue opposite Fraser Street and at such other locations as may be agreed upon from time to time by the parties to this agreement. Such supply of water shall be limited to the capacity of the filtration plant, of the filters, clear water reservoir, pumping equipment, twenty-seven inch (27") main and the proposed auxiliary main more particularly described later in this agreement; and shall be subject to the uses of the existing power services and transformer stations. The pressure shall be maintained by the City at fifty-five pounds at the Dunn Street connection, forty-five pounds at the Stanley Avenue connection and thirty-five pounds at the Barker Street connection with the Purchaser's mains. The meter owned and installed by the City at the Dunn Street connection is to be maintained by and at the expense of the City.

The City agrees to proceed with the following work to ensure an adequate supply of water at the connections with the Purchasers' mains:

Item	Estimated Cost
1. Instal at the Filtration Plant an auxiliary transformer station capable of operating two low lift pumps, one high lift pump and auxiliary motors.....	\$28,000.00
2. Instal at the Filtration Plant a new pump and motor, pump capable of delivering 6,000,000 Imperial gallons per day.....	18,000.00
3. Construct an addition to the clear water reservoir at the Filtration Plant to increase the total storage capacity to approximately 1,500,000 gallons.....	111,927.00
4. Construct an auxiliary distribution main from the Filtration Plant at Chippawa to the intersection of Stanley Avenue and Dixon Street. This auxiliary main will be twenty-four inches (24") in diameter.....	321,654.53

5. Construct a new main extending from the intersection of Stanley Avenue and Dixon Street to the intersection of Lundy's Lane and Drummond Road. This main will be twenty inches (20") in diameter at Portage Road and Murray Street and eighteen inches (18") in diameter on Drummond Road between Murray Street and Barker Street and twelve inches (12") in diameter on Drummond Road between Barker Street and Lundy's Lane..... 105,164.18

TOTAL..... \$584,745.71

The City agrees, upon completion of this agreement, to proceed with the five items of improvements listed above as expeditiously as possible, always subject to the authorization of The Ontario Municipal Board for the expenditures involved, the obtaining of agreements and easements and the receipt of material and equipment.

The City agrees to prosecute the work so that, saving unforeseen circumstances, all work outlined above will be completed before June 15, 1951.

IN CONSIDERATION WHEREOF the Purchasers agree with the City:

1. To purchase from the City water at the rate of eleven cents (11c.) per thousand gallons, to be supplied during the period commencing on the first day of May, 1950, and ending on the date when the installation of equipment and facilities itemized in the preceding paragraphs has been completed to such an extent that the full use of such equipment and facilities is available for the delivery of water to the City and to the Purchasers.

2. To purchase from the City water according to the following rate schedule from the date when the installation of equipment and facilities itemized above has been completed to such an extent that the full use of such equipment and facilities is available to deliver water to the Purchasers' mains:

Amount of annual purchase	Rate
All water purchased up to a total of 400,000,000 Imperial gallons per annum.....	16 cents per 1,000 gallons
If the amount of water purchased is in excess of 400,000,000 Imperial gallons per annum but less than 420,000,000 Imperial gallons per annum.....	15.5 cents per 1,000 gallons
If the amount of water purchased is in excess of 420,000,000 Imperial gallons per annum but less than 440,000,000 Imperial gallons per annum.....	15 cents per 1,000 gallons
If the amount of water purchased is in excess of 440,000,000 Imperial gallons per annum but less than 460,000,000 Imperial gallons per annum.....	14.5 cents per 1,000 gallons
If the amount of water purchased is in excess of 460,000,000 Imperial gallons per annum	14 cents per 1,000 gallons

3. That the meters shall be read and accounts rendered on the first day of each month and all bills shall be payable on or before the fifteenth day of the succeeding month. Any adjustment of amounts payable shall be made as of April 30th for the twelve preceding months.

4. To utilize the capacity of the storage tank of the Purchasers to maintain pressure in the mains of the Purchasers. The said storage tank shall be filled and controlled in such manner that the water therein shall be available to assist the City in reducing its peak power load.

5. To notify the pumphouse at the Filtration Plant at Chippawa whenever valves are closed or re-opened after closure, or in cases of fires where extra pressure is needed in the water mains, the Stamford Fire Chief or Chiefs, or such other person as may be designated by the Purchasers, shall notify the said pumphouse or those in charge thereof of the need for increased pressure.

6. Any alterations or changes necessary to properly record the water consumption during the term of this agreement shall be paid for by the Purchasers and shall be made in a manner satisfactory to and approved of by the City Engineer.

7. The maintenance and repair of all meters purchased or installed by or at the expense of the Purchasers shall be paid for by the Purchasers and shall be kept up and maintained in a manner satisfactory to and approved of by the City Engineer.

8. Should the said meters or any of them fail to register correctly or become out of repair they shall be repaired and replaced in use with as little delay as possible, or other meters installed and the water supplied while any such meter fails to register correctly or is out of repair, shall be paid for by the Purchasers upon the basis of the average monthly amounts previously paid.

9. Should the City at any time during the term of this agreement fail to supply water to the Purchasers, such failure being caused by or being due to power shortage, ice conditions, breakdown of plant, storm, tempest, fire, strike, Act of God, or of the public enemies, or the capacity of the plant to supply the water required, then in such case the City shall not be obligated to maintain such water supply to the Purchasers; but otherwise the City hereby agrees to sell the Purchasers such water as they shall require under the terms of this agreement.

10. In case it becomes necessary to limit the supply of water flow into the Township, the City agrees that the connections to be discontinued shall be determined by agreement between the parties to this agreement.

11. Each of the parties hereto covenants and agrees with the other party to use at all times first-class, modern, commercial mains, apparatus and plant, and to exercise due skill and diligence so as to secure the most perfect operation of the mains, apparatus and plant.

12. The City shall have the right to maintain the meter and check valves at the corner of Lundy's Lane and Drummond Road. Any water taken off the Drummond Road main through the said meter at Lundy's Lane shall be deducted from the amount of water supplied to the main on Drummond Road by the City.

13. This agreement shall not affect the supply by the City under existing agreements of water to takers in the Township of Stamford.

14. The Public Utilities Commission of the Township of Stamford hereby also agrees with the City to continue to supply water from its waterworks system to the City wherever it is at present supplying water to the City and at such points as may be hereafter agreed upon, and any water so supplied shall be supplied at the same rate as the water supplied by the City to the Purchasers, and the City is to maintain and repair at its own expense any meters purchased or installed for the purpose of measuring the water so supplied to the City and is to pay therefor at the same time as payments are made by the Purchasers under the terms of this agreement.

15. Whereas the figures for rates per thousand gallons mentioned in this agreement are based on operating costs, exclusive of the cost for protection of the filtration plant and the distribution mains between Chippawa and Falls View against sabotage, be it therefore understood and agreed that the Purchasers shall pay a proportionate part of such cost of protection in the proportion which the amount of water taken by them bears to the whole amount of water pumped.

THE PARTIES TO THE AGREEMENT AGREE TO THE FOLLOWING CONDITIONS:

1. That this agreement shall be in force for a period of ten years from May 1st, 1950.
2. That it is to the benefit of both parties to have this agreement in force for a period of an additional ten years from May 1st, 1960.
3. That the City shall present a Private Bill to the Legislature of the Province of Ontario seeking authority for the parties to this agreement to sign a supplementary agreement providing for the City to sell water to the Purchasers for the period from May 1st, 1950 to April 30th, 1970, and if the said Private Bill is passed by the Legislature, the parties will execute the same supplementary agreement. The Purchasers agree to co-operate to the fullest extent to obtain passing of the said Bill.
4. That the water rate schedule outlined in this agreement shall be open to review on or before April 30, 1955 and every five years thereafter, namely on or before April 30th, 1960 and April 30th, 1965; and that the rate structure outlined in this agreement has been arrived at on the basis of expenditures for improvements outlined in this agreement and if additional capital expenditures are required for additional facilities or operating costs, then the rate structure outlined above shall be subject to revision as soon as the said additional capital expenditures have been made.
5. The parties of the first part and of the second part agree that the Purchasers shall purchase a minimum of three hundred and twenty-five million (325,000,000) gallons of water per annum from the City of Niagara Falls.
6. That if the parties to this agreement are unable to agree on a rate structure at such times as the revision is provided for, then the schedule shall be submitted to The Ontario Municipal Board for approval or revision.

IN WITNESS WHEREOF the parties have hereunto caused their respective seals to be affixed, attested by the signatures of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

JOHN R. WEARE.

CORPORATION OF THE CITY OF  
NIAGARA FALLS:

W. L. HOUCK,  
*Mayor.*

(Seal) D. C. PATTEN,  
*Clerk.*

PUBLIC UTILITIES COMMISSION OF  
THE TOWNSHIP OF STAMFORD:

K. C. MACLEOD,  
*Chairman.*

(Seal) C. E. KIRKBY,  
*Secretary.*

CORPORATION OF THE TOWNSHIP  
OF STAMFORD:

G. W. MONROE,  
*Reeve.*

(Seal) A. C. HUGGINS,  
*Clerk.*









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BILL  
An Act respecting the City of  
Niagara Falls

---

*1st Reading*

*2nd Reading*

*3rd Reading*

---

MR. HOUCK

---

*(Private Bill)*

No. 1

---

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

---

# BILL

**An Act respecting the City of Niagara Falls**

---

MR. HOUCK

---

---

TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



No. 1

1951

# BILL

## An Act respecting the City of Niagara Falls

**W**HEREAS the Corporation of the City of Niagara Falls <sup>Preamble.</sup> by its petition has represented that it has entered into an agreement with the Public Utilities Commission of the Township of Stamford and the Corporation of the Township of Stamford respecting the furnishing of a supply of water to the said Township authorities, and that it is desirable and in the interests of all the said parties that the agreement and the by-law authorizing it should be validated and confirmed, and that the said parties should be empowered to carry out the terms of the agreement and to extend the term of the agreement for a further period of ten years; and whereas the petitioner in pursuance of the terms of the agreement has prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The by-law and the agreement forming part thereof, <sup>By-law and agreement validated.</sup> set out as the Schedule hereto, are confirmed and declared to be legal, valid and binding in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act, and the parties to the agreement may pass such other by-laws and enter into such other agreements and do all such other acts, matters and things as may be deemed necessary by the parties for the full and proper carrying out of the provisions of the agreement.

(2) The parties to the agreement may enter into a supplemental agreement extending the term of the agreement for <sup>Extension of term of agreement authorized.</sup> a further term of ten years from the 1st day of May, 1960, to the 30th day of April, 1970.

2. This Act shall come into force on the day it receives <sup>Commencement.</sup> the Royal Assent.

3. This Act may be cited as *The City of Niagara Falls Act, 1951.* <sup>Short title.</sup>

## SCHEDULE

By-LAW No. 4557

To authorize the execution of an agreement with the Public Utilities Commission of the Township of Stamford and the Corporation of the Township of Stamford for the supply of water to the Public Utilities Commission of the Township of Stamford and the Corporation of the Township of Stamford and to petition the Legislature for a Private Bill to authorize the execution of a supplementary agreement for a total period of twenty years.

WHEREAS the Corporation of the City of Niagara Falls is the owner of a filtration plant for the supply of water to the residents of the Corporation of the City of Niagara Falls, such plant, with some minor additions, being of greater capacity than is required to supply the needs of the Corporation;

AND WHEREAS the Public Utilities Commission of the Township of Stamford and the Corporation of the Township of Stamford are desirous of obtaining from the Corporation of the City of Niagara Falls a supply of water for residents of the Corporation of the Township of Stamford;

AND WHEREAS it is considered to be for the benefit of both parties to have the agreement in force for a period of twenty years;

NOW THEREFORE the Municipal Council of the Corporation of the City of Niagara Falls enacts as follows:

1. The Mayor and Clerk of the City of Niagara Falls are hereby authorized, instructed and directed to execute an agreement set forth in Schedule 1 hereto, which is hereby incorporated in and made a part of this by-law; to attach the seal of the Corporation thereto and forthwith thereafter to deliver the same to the Public Utilities Commission of the Township of Stamford and the Corporation of the Township of Stamford.

2. The Mayor, Clerk, Solicitor and Manager and other municipal officers of the City of Niagara Falls are hereby authorized and instructed to take such steps and proceedings and to do such things as may be reasonably necessary to apply to the Legislature of the Province of Ontario to procure the passing of a Special Act granting to the Municipal Corporation of the City of Niagara Falls, the Municipal Corporation of the Township of Stamford and the Public Utilities Commission of the Township of Stamford authority to enter into the agreement for the supply of water to the Corporation of the Township of Stamford and the Public Utilities Commission of the Township of Stamford upon the terms mentioned in Schedule 1 hereto for a total period of twenty years.

READ a first and second times in Council this 10th day of July, A.D. 1950.

ENACTED AND PASSED in Council this 14th day of August, A.D. 1950.

W. L. HOUCK,  
Mayor.  
D. C. PATTEN,  
Clerk.

*Schedule 1*

THIS AGREEMENT made in triplicate this 1st day of May, A.D. 1950.

BY AND BETWEEN:

THE CORPORATION OF THE CITY OF NIAGARA FALLS, in  
the Province of Ontario, hereinafter called the "City",

OF THE FIRST PART,

—and—

THE PUBLIC UTILITIES COMMISSION OF THE TOWNSHIP  
OF STAMFORD AND THE CORPORATION OF THE TOWNSHIP  
OF STAMFORD, in the Province of Ontario, hereinafter  
called the "Purchasers",

OF THE SECOND PART.

WHEREAS the City is the owner of a filtration plant for the supply of water to the residents of the Corporation of the City of Niagara Falls, such plant with some minor additions being of greater capacity than is required to supply the needs of the Corporation, and the Purchasers are desirous of obtaining from such filtration plant a supply of water for residents of the Corporation of the Township of Stamford;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the agreement of the Purchasers hereinafter set out, the City agrees with the Purchasers to furnish from the said plant through approved meters, a supply of water at connections with the mains of the Purchasers at McLeod Road, Dunn Street, Orchard Avenue, Locust Avenue, Edward Avenue, Ash Street, Munroe Street, Taylor Street, Culp Street, Maranda Street, Barker Street, Ker Street, Lundy's Lane, Arthur Street, Morden Drive, Morrison Street, Stanley Avenue opposite Fraser Street and at such other locations as may be agreed upon from time to time by the parties to this agreement. Such supply of water shall be limited to the capacity of the filtration plant, of the filters, clear water reservoir, pumping equipment, twenty-seven inch (27") main and the proposed auxiliary main more particularly described later in this agreement; and shall be subject to the uses of the existing power services and transformer stations. The pressure shall be maintained by the City at fifty-five pounds at the Dunn Street connection, forty-five pounds at the Stanley Avenue connection and thirty-five pounds at the Barker Street connection with the Purchaser's mains. The meter owned and installed by the City at the Dunn Street connection is to be maintained by and at the expense of the City.

The City agrees to proceed with the following work to ensure an adequate supply of water at the connections with the Purchasers' mains:

Item	Estimated Cost
1. Instal at the Filtration Plant an auxiliary transformer station capable of operating two low lift pumps, one high lift pump and auxiliary motors.....	\$28,000.00
2. Instal at the Filtration Plant a new pump and motor, pump capable of delivering 6,000,000 Imperial gallons per day.....	18,000.00
3. Construct an addition to the clear water reservoir at the Filtration Plant to increase the total storage capacity to approximately 1,500,000 gallons.....	111,927.00
4. Construct an auxiliary distribution main from the Filtration Plant at Chippawa to the intersection of Stanley Avenue and Dixon Street. This auxiliary main will be twenty-four inches (24") in diameter.....	321,654.53

5. Construct a new main extending from the intersection of Stanley Avenue and Dixon Street to the intersection of Lundy's Lane and Drummond Road. This main will be twenty inches (20") in diameter at Portage Road and Murray Street and eighteen inches (18") in diameter on Drummond Road between Murray Street and Barker Street and twelve inches (12") in diameter on Drummond Road between Barker Street and Lundy's Lane. .... 105,164.18

TOTAL ..... \$584,745.71

The City agrees, upon completion of this agreement, to proceed with the five items of improvements listed above as expeditiously as possible, always subject to the authorization of The Ontario Municipal Board for the expenditures involved, the obtaining of agreements and easements and the receipt of material and equipment.

The City agrees to prosecute the work so that, saving unforeseen circumstances, all work outlined above will be completed before June 15, 1951.

IN CONSIDERATION WHEREOF the Purchasers agree with the City:

1. To purchase from the City water at the rate of eleven cents (11c.) per thousand gallons, to be supplied during the period commencing on the first day of May, 1950, and ending on the date when the installation of equipment and facilities itemized in the preceding paragraphs has been completed to such an extent that the full use of such equipment and facilities is available for the delivery of water to the City and to the Purchasers.

2. To purchase from the City water according to the following rate schedule from the date when the installation of equipment and facilities itemized above has been completed to such an extent that the full use of such equipment and facilities is available to deliver water to the Purchasers' mains:

Amount of annual purchase	Rate
All water purchased up to a total of 400,000,000 Imperial gallons per annum.....	16 cents per 1,000 gallons
If the amount of water purchased is in excess of 400,000,000 Imperial gallons per annum but less than 420,000,000 Imperial gallons per annum.....	15.5 cents per 1,000 gallons
If the amount of water purchased is in excess of 420,000,000 Imperial gallons per annum but less than 440,000,000 Imperial gallons per annum.....	15 cents per 1,000 gallons
If the amount of water purchased is in excess of 440,000,000 Imperial gallons per annum but less than 460,000,000 Imperial gallons per annum.....	14.5 cents per 1,000 gallons
If the amount of water purchased is in excess of 460,000,000 Imperial gallons per annum	14 cents per 1,000 gallons

3. That the meters shall be read and accounts rendered on the first day of each month and all bills shall be payable on or before the fifteenth day of the succeeding month. Any adjustment of amounts payable shall be made as of April 30th for the twelve preceding months.

4. To utilize the capacity of the storage tank of the Purchasers to maintain pressure in the mains of the Purchasers. The said storage tank shall be filled and controlled in such manner that the water therein shall be available to assist the City in reducing its peak power load.



5. To notify the pumphouse at the Filtration Plant at Chippawa whenever valves are closed or re-opened after closure, or in cases of fires where extra pressure is needed in the water mains, the Stamford Fire Chief or Chiefs, or such other person as may be designated by the Purchasers, shall notify the said pumphouse or those in charge thereof of the need for increased pressure.

6. Any alterations or changes necessary to properly record the water consumption during the term of this agreement shall be paid for by the Purchasers and shall be made in a manner satisfactory to and approved of by the City Engineer.

7. The maintenance and repair of all meters purchased or installed by or at the expense of the Purchasers shall be paid for by the Purchasers and shall be kept up and maintained in a manner satisfactory to and approved of by the City Engineer.

8. Should the said meters or any of them fail to register correctly or become out of repair they shall be repaired and replaced in use with as little delay as possible, or other meters installed and the water supplied while any such meter fails to register correctly or is out of repair, shall be paid for by the Purchasers upon the basis of the average monthly amounts previously paid.

9. Should the City at any time during the term of this agreement fail to supply water to the Purchasers, such failure being caused by or being due to power shortage, ice conditions, breakdown of plant, storm, tempest, fire, strike, Act of God, or of the public enemies, or the capacity of the plant to supply the water required, then in such case the City shall not be obligated to maintain such water supply to the Purchasers; but otherwise the City hereby agrees to sell the Purchasers such water as they shall require under the terms of this agreement.

10. In case it becomes necessary to limit the supply of water flow into the Township, the City agrees that the connections to be discontinued shall be determined by agreement between the parties to this agreement.

11. Each of the parties hereto covenants and agrees with the other party to use at all times first-class, modern, commercial mains, apparatus and plant, and to exercise due skill and diligence so as to secure the most perfect operation of the mains, apparatus and plant.

12. The City shall have the right to maintain the meter and check valves at the corner of Lundy's Lane and Drummond Road. Any water taken off the Drummond Road main through the said meter at Lundy's Lane shall be deducted from the amount of water supplied to the main on Drummond Road by the City.

13. This agreement shall not affect the supply by the City under existing agreements of water to takers in the Township of Stamford.

14. The Public Utilities Commission of the Township of Stamford hereby also agrees with the City to continue to supply water from its waterworks system to the City wherever it is at present supplying water to the City and at such points as may be hereafter agreed upon, and any water so supplied shall be supplied at the same rate as the water supplied by the City to the Purchasers, and the City is to maintain and repair at its own expense any meters purchased or installed for the purpose of measuring the water so supplied to the City and is to pay therefor at the same time as payments are made by the Purchasers under the terms of this agreement.

15. Whereas the figures for rates per thousand gallons mentioned in this agreement are based on operating costs, exclusive of the cost for protection of the filtration plant and the distribution mains between Chippawa and Falls View against sabotage, be it therefore understood and agreed that the Purchasers shall pay a proportionate part of such cost of protection in the proportion which the amount of water taken by them bears to the whole amount of water pumped.

THE PARTIES TO THE AGREEMENT AGREE TO THE FOLLOWING CONDITIONS:

1. That this agreement shall be in force for a period of ten years from May 1st, 1950.

2. That it is to the benefit of both parties to have this agreement in force for a period of an additional ten years from May 1st, 1960.

3. That the City shall present a Private Bill to the Legislature of the Province of Ontario seeking authority for the parties to this agreement to sign a supplementary agreement providing for the City to sell water to the Purchasers for the period from May 1st, 1950 to April 30th, 1970, and if the said Private Bill is passed by the Legislature, the parties will execute the same supplementary agreement. The Purchasers agree to co-operate to the fullest extent to obtain passing of the said Bill.

4. That the water rate schedule outlined in this agreement shall be open to review on or before April 30, 1955 and every five years thereafter, namely on or before April 30th, 1960 and April 30th, 1965; and that the rate structure outlined in this agreement has been arrived at on the basis of expenditures for improvements outlined in this agreement and if additional capital expenditures are required for additional facilities or operating costs, then the rate structure outlined above shall be subject to revision as soon as the said additional capital expenditures have been made.

5. The parties of the first part and of the second part agree that the Purchasers shall purchase a minimum of three hundred and twenty-five million (325,000,000) gallons of water per annum from the City of Niagara Falls.

6. That if the parties to this agreement are unable to agree on a rate structure at such times as the revision is provided for, then the schedule shall be submitted to The Ontario Municipal Board for approval or revision.

IN WITNESS WHEREOF the parties have hereunto caused their respective seals to be affixed, attested by the signatures of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

JOHN R. WEARE.

CORPORATION OF THE CITY OF  
NIAGARA FALLS:

W. L. HOUCK,  
*Mayor.*

(Seal) D. C. PATTEN,  
*Clerk.*

PUBLIC UTILITIES COMMISSION OF  
THE TOWNSHIP OF STAMFORD:

K. C. MACLEOD,  
*Chairman.*

(Seal) C. E. KIRKBY,  
*Secretary.*

CORPORATION OF THE TOWNSHIP  
OF STAMFORD:

G. W. MONROE,  
*Reeve.*

(Seal) A. C. HUGGINS,  
*Clerk.*







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BILL

An Act respecting the City of  
Niagara Falls

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 16th, 1951

*3rd Reading*

February 20th, 1951

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Mr. Houck

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No. 2

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the Rideau Club

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MR. MORROW

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting the Rideau Club

**W**HEREAS the Rideau Club, a corporation incorporated <sup>Preamble.</sup>  
by *An Act to incorporate the Rideau Club of the City of*  
*Ottawa*, being chapter 98 of the Statutes of the Province of  
Canada, 1865, by its petition has prayed that an Act may be  
passed for the purpose of granting to it certain general borrow-  
ing powers; and whereas it is expedient to grant the prayer of  
the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. If authorized by by-law duly passed by at least two-thirds of the votes cast at a special general meeting of the members duly called for considering the by-law, the Rideau Club may from time to time, <sup>Borrowing  
by Club.</sup>

- (a) borrow money upon the credit of the Club;
- (b) limit or increase the amount to be borrowed;
- (c) issue bonds, debentures or other securities of the Club;
- (d) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient;
- (e) mortgage, hypothecate, charge or pledge all or any of the real and personal property, undertaking and rights of the Club to secure any such bonds, debentures or other securities or any money borrowed or any other liability of the Club,

provided that the amount which may be borrowed by the Club under authority of this Act or otherwise shall at no time exceed in the aggregate the sum of \$250,000.

Priorities of  
bonds, etc.

**2.** Any bonds, debentures and securities issued by the Club shall rank according to the respective dates of the issue thereof and nothing in this Act shall authorize the issue of any such bonds, debentures or other securities ranking in priority to or *pari passu* with any of the bonds, debentures and securities of the Club previously issued whether under authority of this Act or otherwise.

Repeal.

**3.** The following Acts and parts of Acts relating to the Club are repealed:

- 1889, c. 99; (a) Sections 3, 4 and 7 of *An Act respecting the Rideau Club*, being chapter 99 of the Statutes of Ontario, 1889;
- 1896, c. 122; (b) Sections 1 to 6 of *An Act respecting the Rideau Club*, being chapter 122 of the Statutes of Ontario, 1896;
- 1909, c. 163; (c) Sections 1 to 8 of *An Act respecting the Rideau Club*, being chapter 163 of the Statutes of Ontario, 1909;
- 1939, c. 70. (d) *The Rideau Club Act, 1939*; provided that the repeal of such Act shall not affect the validity of the loan effected under authority thereof nor the mortgage securing such loan.

Commence-  
ment.

**4.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**5.** This Act may be cited as *The Rideau Club Act, 1951*.







BILL

An Act respecting the Rideau Club

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. MORROW

*(Private Bill)*

No. 2

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the Rideau Club

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MR. MORROW

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting the Rideau Club

**W**HEREAS the Rideau Club, a corporation incorporated <sup>Preamble.</sup> by *An Act to incorporate the Rideau Club of the City of Ottawa*, being chapter 98 of the Statutes of the Province of Canada, 1865, by its petition has prayed that an Act may be passed for the purpose of granting to it certain general borrowing powers; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. If authorized by by-law duly passed by at least two-thirds of the votes cast at a special general meeting of the members duly called for considering the by-law, the Rideau Club may from time to time, <sup>Borrowing by Club.</sup>

- (a) borrow money upon the credit of the Club;
- (b) limit or increase the amount to be borrowed;
- (c) issue bonds, debentures or other securities of the Club;
- (d) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient;
- (e) mortgage, hypothecate, charge or pledge all or any of the real and personal property, undertaking and rights of the Club to secure any such bonds, debentures or other securities or any money borrowed or any other liability of the Club,

provided that the amount which may be borrowed by the Club under authority of this Act or otherwise shall at no time exceed in the aggregate the sum of \$250,000.

Priorities of  
bonds, etc.

**2.** Any bonds, debentures and securities issued by the Club shall rank according to the respective dates of the issue thereof and nothing in this Act shall authorize the issue of any such bonds, debentures or other securities ranking in priority to or *pari passu* with any of the bonds, debentures and securities of the Club previously issued whether under authority of this Act or otherwise.

Repeal.

**3.** The following Acts and parts of Acts relating to the Club are repealed:

1889, c. 99;

(a) Sections 3, 4 and 7 of *An Act respecting the Rideau Club*, being chapter 99 of the Statutes of Ontario, 1889;

1896, c. 122;

(b) Sections 1 to 6 of *An Act respecting the Rideau Club*, being chapter 122 of the Statutes of Ontario, 1896;

1909, c. 163;

(c) Sections 1 to 8 of *An Act respecting the Rideau Club*, being chapter 163 of the Statutes of Ontario, 1909;

1939, c. 70.

(d) *The Rideau Club Act, 1939*; provided that the repeal of such Act shall not affect the validity of the loan effected under authority thereof nor the mortgage securing such loan..

Commence-  
ment.

**4.** This Act shall come into force on the day it receives the Royal Assent.

Short title

**5.** This Act may be cited as *The Rideau Club Act, 1951*.







BILL

An Act respecting the Rideau Club

*1st Reading*

February 8th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

MR. MORROW

No. 3

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act respecting Barclays Trust Company of Canada**

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MR. BLACKWELL

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





No. 3

1951

# BILL

## An Act respecting Barclays Trust Company of Canada

**W**HEREAS Barclays Trust Company of Canada, herein-<sup>Preamble.</sup>  
after called the Company, by its petition has represented that it was incorporated under the name of Barclays Trust Company of Canada by *An Act to incorporate Barclays Trust Company of Canada*, being chapter 137 of the Statutes of Quebec, 1930-31, and that its present permanent capital stock authorized is \$500,000, all of which has been subscribed for, issued and allotted, and upon which \$500,000 has been paid in cash; and whereas the Company has prayed that an Act be passed authorizing it to transact the business of a trust company in Ontario in conformity to the public general law thereof; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Upon giving security to the satisfaction of the Lieutenant-Governor in Council in a sum of not less than \$200,000, the Company may, upon filing with the Registrar appointed under *The Loan and Trust Corporations Act* a power of attorney as required by section 116 of that Act, be admissible to registry under that Act, and upon being so registered shall be authorized and empowered to carry on and exercise in Ontario the business of a trust company with the powers set forth in *The Loan and Trust Corporations Act*.<sup>Registration under Rev. Stat., c. 214.</sup>

2. The Lieutenant-Governor in Council may at any time or from time to time require an increase in the amount of such security by a notice in writing to the manager or secretary at the chief agency of the Company in Ontario; and if the Company fails to furnish such increased security within two months after such notice then and thereupon the Company shall, *ipso facto*, become disentitled and shall cease to do further business in Ontario.<sup>Further security.</sup>

Chief  
agency in  
Ontario.

**3.** The chief agency of the Company for Ontario shall be in the City of Toronto and the Company shall keep at that chief agency a manager or other chief agent who, as well as all other officers at the said agency or in Ontario, shall in respect of all business transacted by the Company in Ontario be absolutely subject to the control of the courts of Ontario as fully as if the head office of the Company were within Ontario, and as if the Company were wholly managed and controlled therein.

Investments.

**4.** All the investments of the Company in respect of all trust business entrusted to it in Ontario shall (subject to the provisions as to investments contained in the deed, will or other instrument of trust and subject to the direction, if any, of the Supreme Court or of any judge thereof) be wholly invested at one or other of the agencies of the Company in Ontario; and the trust securities representing such investments from time to time shall be held and retained at all times at one or other of such agencies and under the control of the courts of Ontario, and shall (subject to the provisions of the said instruments of trust) be securities in which trustees or trust companies are, by the law of Ontario, authorized to invest trust funds.

Extent of  
powers.

**5.** The Company shall be limited, in respect of all business relating to property and civil rights or provincial objects in Ontario, to the powers conferred on trust companies by *The Loan and Trust Corporations Act*, and shall be subject to the general provisions of that Act and to the general public law of Ontario relating to trust companies and trusts.

Rev. Stat.,  
c. 214.

Separate  
accounts.

**6.** Subject to section 76 of *The Loan and Trust Corporations Act*, the moneys and securities of each trust shall always be kept distinct from those of the Company and in separate accounts, and so marked in the books of the Company for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the Company and at no time shall trust moneys form part of or be mixed with the general assets of the Company.

Trust funds  
not subject  
to Com-  
pany's  
debts.

**7.** Moneys, properties and securities received or held by the Company upon trust or as agent of any person or corporation shall not be liable for the debts or obligations of the Company.

Jurisdiction  
of courts and  
judges in  
Ontario.

**8.** In the case of the appointment of the Company to any trust or office by any court or judge in Ontario, such court or judge may at any time and from time to time require the Company to render an account of its administration of the particular trust or office to which the Company has been so appointed and a judge of the Supreme Court may also at any

time and from time to time appoint a suitable person to investigate the affairs and management of the Company, and as to the security offered to those by or for whom its engagements are held, and such person shall make his report to such court or judge and the costs and expenses of such investigation shall be borne as ordered by such court or judge.

**9.** Nothing in this Act shall be deemed to authorize the Company to commence business in Ontario until it has been registered as required by the provisions of *The Loan and Trust Corporations Act* nor to continue except when so registered. Proviso.  
Rev. Stat.,  
c. 214.

**10.** This Act shall come into force on the day it receives the Royal Assent. Commence-  
ment.

**11.** This Act may be cited as *The Barclays Trust Company of Canada Act, 1951*. Short title.





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BILL

An Act respecting Barclays Trust  
Company of Canada

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*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. BLACKWELL

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*(Private Bill)*

No. 3

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting Barclays Trust Company of Canada

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MR. BLACKWELL

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*(Reprinted as amended by the Committee on Private Bills)*

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting Barclays Trust Company of Canada

**W**HEREAS Barclays Trust Company of Canada, herein- Preamble.  
after called the Company, by its petition has represented that it was incorporated under the name of Barclays Trust Company of Canada by *An Act to incorporate Barclays Trust Company of Canada*, being chapter 137 of the Statutes of Quebec, 1930-31, and that its present permanent capital stock authorized is \$500,000, all of which has been subscribed for, issued and allotted, and upon which \$500,000 has been paid in cash; and whereas the Company has prayed that an Act be passed authorizing it to transact the business of a trust company in Ontario in conformity to the public general law thereof; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Upon giving security to the satisfaction of the Lieutenant-Governor in Council in a sum of not less than \$200,000, the Company may, upon filing with the Registrar appointed under *The Loan and Trust Corporations Act* a power of attorney as required by section 116 of that Act, be admissible to registry under that Act, and upon being so registered shall be authorized and empowered to carry on and exercise in Ontario the business of a trust company with those of the powers set forth in that Act which are within the capacity of the Company. Registration under Rev. Stat., c. 214.

2. The Lieutenant-Governor in Council may at any time or from time to time require an increase in the amount of such security by a notice in writing to the manager or secretary at the chief agency of the Company in Ontario; and if the Company fails to furnish such increased security within two months after such notice then and thereupon the Company shall, *ipso facto*, become disentitled and shall cease to do further business in Ontario. Further security.

Chief  
agency in  
Ontario.

3. The chief agency of the Company for Ontario shall be in the City of Toronto and the Company shall keep at that chief agency a manager or other chief agent who, as well as all other officers at the said agency or in Ontario, shall in respect of all business transacted by the Company in Ontario be absolutely subject to the control of the courts of Ontario as fully as if the head office of the Company were within Ontario, and as if the Company were wholly managed and controlled therein.

Investments.

4. All the investments of the Company in respect of all trust business entrusted to it in Ontario shall (subject to the provisions as to investments contained in the deed, will or other instrument of trust and subject to the direction, if any, of the Supreme Court or of any judge thereof) be wholly invested at one or other of the agencies of the Company in Ontario; and the trust securities representing such investments from time to time shall be held and retained at all times at one or other of such agencies and under the control of the courts of Ontario, and shall (subject to the provisions of the said instruments of trust) be securities in which trustees or trust companies are, by the law of Ontario, authorized to invest trust funds.

Extent of  
powers.

5. The Company shall be limited, in respect of all business relating to property and civil rights or provincial objects in Ontario, to the powers conferred on trust companies by *The Loan and Trust Corporations Act*, and shall be subject to the general provisions of that Act and to the general public law of Ontario relating to trust companies and trusts.

Rev. Stat.,  
c. 214.

Separate  
accounts.

6. Subject to section 76 of *The Loan and Trust Corporations Act*, the moneys and securities of each trust shall always be kept distinct from those of the Company and in separate accounts, and so marked in the books of the Company for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the Company and at no time shall trust moneys form part of or be mixed with the general assets of the Company.

Trust funds  
not subject  
to Com-  
pany's  
debts.

7. Moneys, properties and securities received or held by the Company upon trust or as agent of any person or corporation shall not be liable for the debts or obligations of the Company.

Jurisdiction  
of courts and  
judges in  
Ontario.

8. In the case of the appointment of the Company to any trust or office by any court or judge in Ontario, such court or judge may at any time and from time to time require the Company to render an account of its administration of the particular trust or office to which the Company has been so appointed and a judge of the Supreme Court may also at any

time and from time to time appoint a suitable person to investigate the affairs and management of the Company, and as to the security offered to those by or for whom its engagements are held, and such person shall make his report to such court or judge and the costs and expenses of such investigation shall be borne as ordered by such court or judge.

**9.** Nothing in this Act shall be deemed to authorize the Company to commence business in Ontario until it has been registered as required by the provisions of *The Loan and Trust Corporations Act* nor to continue except when so registered. Proviso.  
Rev. Stat.,  
c. 214.

**10.** This Act shall come into force on the day it receives the Royal Assent. Commence-  
ment.

**11.** This Act may be cited as *The Barclays Trust Company of Canada Act, 1951*. Short title.





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BILL

An Act respecting Barclays Trust  
Company of Canada

---

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

---

MR. BLACKWELL

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*(Reprinted as amended by the  
Committee on Private Bills)*

No. 3

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting Barclays Trust Company of Canada

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MR. BLACKWELL

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting Barclays Trust Company of Canada

**W**HEREAS Barclays Trust Company of Canada, herein-<sup>Preamble.</sup>  
after called the Company, by its petition has represented that it was incorporated under the name of Barclays Trust Company of Canada by *An Act to incorporate Barclays Trust Company of Canada*, being chapter 137 of the Statutes of Quebec, 1930-31, and that its present permanent capital stock authorized is \$500,000, all of which has been subscribed for, issued and allotted, and upon which \$500,000 has been paid in cash; and whereas the Company has prayed that an Act be passed authorizing it to transact the business of a trust company in Ontario in conformity to the public general law thereof; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Upon giving security to the satisfaction of the Lieutenant-Governor in Council in a sum of not less than \$200,000, the Company may, upon filing with the Registrar appointed under *The Loan and Trust Corporations Act* a power of attorney as required by section 116 of that Act, be admissible to registry under that Act, and upon being so registered shall be authorized and empowered to carry on and exercise in Ontario the business of a trust company with those of the powers set forth in that Act which are within the capacity of the Company.

<sup>Registration  
under  
Rev. Stat.,  
c. 214.</sup>

2. The Lieutenant-Governor in Council may at any time or from time to time require an increase in the amount of such security by a notice in writing to the manager or secretary at the chief agency of the Company in Ontario; and if the Company fails to furnish such increased security within two months after such notice then and thereupon the Company shall, *ipso facto*, become disentitled and shall cease to do further business in Ontario.

<sup>Further  
security.</sup>

Chief  
agency in  
Ontario.

3. The chief agency of the Company for Ontario shall be in the City of Toronto and the Company shall keep at that chief agency a manager or other chief agent who, as well as all other officers at the said agency or in Ontario, shall in respect of all business transacted by the Company in Ontario be absolutely subject to the control of the courts of Ontario as fully as if the head office of the Company were within Ontario, and as if the Company were wholly managed and controlled therein.

Investments.

4. All the investments of the Company in respect of all trust business entrusted to it in Ontario shall (subject to the provisions as to investments contained in the deed, will or other instrument of trust and subject to the direction, if any, of the Supreme Court or of any judge thereof) be wholly invested at one or other of the agencies of the Company in Ontario; and the trust securities representing such investments from time to time shall be held and retained at all times at one or other of such agencies and under the control of the courts of Ontario, and shall (subject to the provisions of the said instruments of trust) be securities in which trustees or trust companies are, by the law of Ontario, authorized to invest trust funds.

Extent of  
powers.

Rev. Stat.,  
c. 214.

5. The Company shall be limited, in respect of all business relating to property and civil rights or provincial objects in Ontario, to the powers conferred on trust companies by *The Loan and Trust Corporations Act*, and shall be subject to the general provisions of that Act and to the general public law of Ontario relating to trust companies and trusts.

Separate  
accounts.

6. Subject to section 76 of *The Loan and Trust Corporations Act*, the moneys and securities of each trust shall always be kept distinct from those of the Company and in separate accounts, and so marked in the books of the Company for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the Company and at no time shall trust moneys form part of or be mixed with the general assets of the Company.

Trust funds  
not subject  
to Com-  
pany's  
debts.

7. Moneys, properties and securities received or held by the Company upon trust or as agent of any person or corporation shall not be liable for the debts or obligations of the Company.

Jurisdiction  
of courts and  
judges in  
Ontario.

8. In the case of the appointment of the Company to any trust or office by any court or judge in Ontario, such court or judge may at any time and from time to time require the Company to render an account of its administration of the particular trust or office to which the Company has been so appointed and a judge of the Supreme Court may also at any

time and from time to time appoint a suitable person to investigate the affairs and management of the Company, and as to the security offered to those by or for whom its engagements are held, and such person shall make his report to such court or judge and the costs and expenses of such investigation shall be borne as ordered by such court or judge.

**9.** Nothing in this Act shall be deemed to authorize the Company to commence business in Ontario until it has been registered as required by the provisions of *The Loan and Trust Corporations Act* nor to continue except when so registered. Proviso.  
Rev. Stat.,  
c. 214.

**10.** This Act shall come into force on the day it receives the Royal Assent. Commence-  
ment.

**11.** This Act may be cited as *The Barclays Trust Company of Canada Act, 1951*. Short title.





No. 3

BILL

An Act respecting Barclays Trust  
Company of Canada

*1st Reading*

February 8th, 1951

*2nd Reading*

February 16th, 1951

*3rd Reading*

February 20th, 1951

MR. BLACKWELL

No. 4

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting Wycliffe College

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MR. MURDOCH

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting Wycliffe College

**W**HEREAS the Trustees of Wycliffe College by their Preamble.  
 petition have represented that by section 6 of *An Act*  
*respecting Wycliffe College*, being chapter 112 of the Statutes  
 of Ontario, 1916, the Trustees have power to grant degrees  
 in theology, including honorary degrees and certificates of  
 proficiency, as therein set out; and whereas the Trustees  
 desire that their powers of granting degrees in theology  
 should be enlarged so that they will have powers similar to  
 those of other religious institutions of learning to grant such  
 degrees in theology as they may from time to time deem meet;  
 and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:

1. Section 6 of *An Act respecting Wycliffe College*, being 1916.  
 chapter 112 of the Statutes of Ontario, 1916, is repealed and c. 112, s. 6,  
 the following substituted therefor: re-enacted.

6. The trustees may grant degrees in theology, including Power to  
 honorary degrees in theology, and certificates of grant  
 proficiency in theology, to such persons as the trustees degrees and  
 from time to time may deem to have the necessary certificates  
 qualifications therefor, subject to such examinations in theology.  
 or otherwise as may from time to time be prescribed  
 by the trustees.

2. This Act shall come into force on the day it receives Commence-  
 the Royal Assent. ment.

3. This Act may be cited as *The Wycliffe College Act, 1951.* Short title.

BILL

An Act respecting Wycliffe College

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. MURDOCH

*(Private Bill)*

No. 4

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting Wycliffe College

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MR. MURDOCH

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TORONTO  
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of the Legislative Assembly of the Province of Ontario,  
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1. Section 6 of *An Act respecting Wycliffe College*, being 1916,  
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honorary degrees in theology, and certificates of degrees and  
certificates  
proficiency in theology, to such persons as the trustees in theology.  
from time to time may deem to have the necessary  
qualifications therefor, subject to such examinations  
or otherwise as may from time to time be prescribed  
by the trustees.

2. This Act shall come into force on the day it receives Commence-  
ment.  
the Royal Assent.

3. This Act may be cited as *The Wycliffe College Act, 1951*. Short title.

BILL

An Act respecting Wycliffe College

*1st Reading*

February 8th, 1951

*2nd Reading*

February 16th, 1951

*3rd Reading*

February 20th, 1951

MR. MURDOCH

No. 5

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act respecting the Jewish Congregation Anshe-Sholem of Hamilton**

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MR. HALL

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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# BILL

## An Act respecting the Jewish Congregation Anshe-Sholem of Hamilton

**W**HEREAS the Jewish Congregation Anshe-Sholem of Hamilton, hereinafter called the Congregation, by its petition has represented that it was incorporated by *An Act to incorporate the Jewish Congregation Anshe-Sholem of Hamilton*, being chapter 34 of the Statutes of the Province of Canada, 1863, and has prayed that an Act be passed amending the said Act to extend the Congregation's powers with respect to the holding of real property and the construction, maintenance and alteration of buildings and works, and to vary the number and designations of the officers of the Congregation; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of the said *An Act to incorporate the Jewish Congregation Anshe-Sholem of Hamilton* is amended by striking out all the words after the word "Hamilton" in the tenth line, so that the section shall read as follows:

1. Jacob Frey, Isaac Levy, Henry Zinshmer, Samuel Desbecker, Leopold Rosenband, Daniel Shire, Simon Shire, Leopold Loeb, Isaac Shire, William Loeb, Mendel Levy, Abraham Levy, Iberman Levy, Jonas Draenger, Solomon Ungar, H. Wolf, Bernhard Weinberg, Abraham Saimon and Louis Daniels, together with such other persons as may hereafter become members of the said Society, shall be and they are hereby constituted a Body Corporate and Politic under the name of the Jewish Congregation *Anshe-Sholem*, of Hamilton.

2. Section 2 of the said *An Act to incorporate the Jewish Congregation Anshe-Sholem of Hamilton* is amended by

striking out the words "a Vice-president, a Treasurer and a Secretary" in the second line and inserting in lieu thereof the words "a First Vice-president, a Second Vice-president, a Treasurer, a Secretary, and such other officers or trustees as shall be deemed desirable by the Congregation", so that the section shall read as follows:

Officers of Corporation.

2. The officers of the said Congregation shall consist of a President, a First Vice-president, a Second Vice-president, a Treasurer, a Secretary, and such other officers or trustees as shall be deemed desirable by the Congregation, who shall be elected by Ballot by the members for the time being of the said congregation annually, at the annual general meeting to be held on the first day of October in every year, or on such other day as may be appointed by the by-laws of the said congregation; and the officers so appointed shall have the right to exercise such powers and authorities for the due management and administration of the affairs of the congregation as may be conferred upon them by the regulations and by-laws of the said congregation.

Powers.

Power to acquire and dispose of real property, etc.

3. In addition to the powers now possessed by it, the Congregation may,

- (a) acquire and hold any real property or any estate or interest therein, either by purchase, lease, gift, devise or bequest, either absolutely or in trust, and may sell, transfer, exchange, mortgage, hypothecate, lease or otherwise dispose of the same or any part thereof, and apply the proceeds of any such property for its purposes; provided that no lands at any time acquired by the corporation and not required for its actual use and purpose, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property;
- (b) construct, maintain and alter any buildings or works necessary or convenient for the purposes of the Congregation, which buildings and works shall include, but not be limited to, synagogues, schools, auditoria and social halls, and a burying-ground.

Commencement.

4. This Act shall come into force on the day it receives the Royal Assent.

Short title.

5. This Act may be cited as *The Jewish Congregation Anshe-Sholem of Hamilton Act, 1951*.







BILL

An Act respecting the Jewish Congregation  
Anshe-Sholem of Hamilton

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. HALL

(*Private Bill*)

No. 5

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act respecting the Jewish Congregation Anshe-Sholem of Hamilton**

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MR. HALL

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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# BILL

## An Act respecting the Jewish Congregation Anshe-Sholem of Hamilton

**W**HEREAS the Jewish Congregation Anshe-Sholem of Preamble.  
Hamilton, hereinafter called the Congregation, by its  
petition has represented that it was incorporated by *An* <sup>26 Vict.,</sup>  
*Act to incorporate the Jewish Congregation Anshe-Sholem of* <sup>c. 34.</sup>  
*Hamilton*, being chapter 34 of the Statutes of the Province  
of Canada, 1863, and has prayed that an Act be passed amend-  
ing the said Act to extend the Congregation's powers with  
respect to the holding of real property and the construction,  
maintenance and alteration of buildings and works, and to  
vary the number and designations of the officers of the  
Congregation; and whereas it is expedient to grant the prayer  
of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. Section 1 of the said *An Act to incorporate the Jewish* <sup>1863,</sup>  
*Congregation Anshe-Sholem of Hamilton* is amended by <sup>c. 34, s. 1,</sup> amended.  
striking out all the words after the word "Hamilton" in the  
tenth line, so that the section shall read as follows:

1. Jacob Frey, Isaac Levy, Henry Zinshermer, Samuel <sup>Incorporation.</sup>  
Desbecker, Leopold Rosenband, Daniel Shire, Simon  
Shire, Leopold Loeb, Isaac Shire, William Loeb,  
Mendel Levy, Abraham Levy, Iberman Levy, Jonas  
Draenger, Solomon Ungar, H. Wolf, Bernhard Wein-  
berg, Abraham Saimon and Louis Daniels, together  
with such other persons as may hereafter become mem-  
bers of the said Society, shall be and they are hereby  
constituted a Body Corporate and Politic under the  
name of the Jewish Congregation *Anshe-Sholem*, of  
Hamilton.

2. Section 2 of the said *An Act to incorporate the Jewish* <sup>1863,</sup>  
*Congregation Anshe-Sholem of Hamilton* is amended by <sup>c. 34, s. 2,</sup> amended.

striking out the words "a Vice-president, a Treasurer and a Secretary" in the second line and inserting in lieu thereof the words "a First Vice-president, a Second Vice-president, a Treasurer, a Secretary, and such other officers or trustees as shall be deemed desirable by the Congregation", so that the section shall read as follows:

Officers of  
Corporation.

2. The officers of the said Congregation shall consist of a President, a First Vice-president, a Second Vice-president, a Treasurer, a Secretary, and such other officers or trustees as shall be deemed desirable by the Congregation, who shall be elected by Ballot by the members for the time being of the said congregation annually, at the annual general meeting to be held on the first day of October in every year, or on such other day as may be appointed by the by-laws of the said congregation; and the officers so appointed shall have the right to exercise such powers and authorities for the due management and administration of the affairs of the congregation as may be conferred upon them by the regulations and by-laws of the said congregation.

Powers.

Power to  
acquire and  
dispose of  
real pro-  
perty, etc.

3. In addition to the powers now possessed by it, the Congregation may,

- (a) acquire and hold any real property or any estate or interest therein, either by purchase, lease, gift, devise or bequest, either absolutely or in trust, and may sell, transfer, exchange, mortgage, hypothecate, lease or otherwise dispose of the same or any part thereof, and apply the proceeds of any such property for its purposes; provided that no lands at any time acquired by the corporation and not required for its actual use and purpose, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property;
- (b) construct, maintain and alter any buildings or works necessary or convenient for the purposes of the Congregation, which buildings and works shall include, but not be limited to, synagogues, schools, auditoria and social halls, and a burying-ground.

Commence-  
ment.

4. This Act shall come into force on the day it receives the Royal Assent.

Short title.

5. This Act may be cited as *The Jewish Congregation Anshe-Sholem of Hamilton Act, 1951*.







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BILL

An Act respecting the Jewish Congregation  
Anshe-Sholem of Hamilton

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*1st Reading*

February 12th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

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MR. HALL

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the Town of Preston

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MR. BROWN

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





No. 6

1951

# BILL

## An Act respecting the Town of Preston

**W**HEREAS the Corporation of the Town of Preston by Preamble.  
its petition has represented that the Town has for many years formed a portion of the County of Waterloo and is desirous of withdrawing from the County and becoming a separated municipality; and whereas the Town has notified the council of the County of its intention to apply for the withdrawal of the Town from the jurisdiction of the County; and whereas the council of the Town on the 4th day of December, 1950, did submit for the opinion of the electors of the Town the question "Are you in favour of the Town of Preston becoming separated from the County of Waterloo?", upon which question 1,159 of the electors voted in the affirmative and 135 voted in the negative, and by reason thereof the petitioner has prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpreta-  
tion.

(a) "Town" means the Town of Preston;

(b) "County" means the County of Waterloo.

**2. On and after the 1st day of January, 1952, the Town** Town  
shall be withdrawn and for municipal purposes shall be withdrawn  
separated from the County. from  
County.

**3. On and after the 1st day of January, 1952, the costs** Liability  
and expenses of the County court house and jail and of all re court  
other matters and things set forth in section 373 of *The* house, etc.  
*Municipal Act* shall be borne and paid as between the County Rev. Stat.,  
and the Town as provided in that Act. c. 243.

Application  
of Rev. Stat.,  
c. 243.

**4.** The provisions of *The Municipal Act* in relation to matters consequent upon the formation of a new corporation and as to the adjustment of assets and liabilities as between the corporation of a county and the corporation of a town, not being a separated town, which is erected into a city, shall apply as between the County and the Town except that subsection 6 of section 36 of that Act shall be deemed not to apply.

Town  
council.

**5.**—(1) After the year 1951 the council of the Town shall be composed of a mayor and eight councillors and shall be elected in the manner provided in *The Municipal Act* for the council of a town in a county, except there shall be no reeve or deputy reeve.

Election  
of 1952  
council.

(2) The election of the council of the Town for the year 1952 and all proceedings incidental thereto shall be held in the manner provided for in the by-laws of the Town in effect on the 1st day of November, 1951, except that no reeve or deputy reeve shall be elected for 1952.

Commence-  
ment.

**6.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**7.** This Act may be cited as *The Town of Preston Act, 1951*.







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BILL

An Act respecting the Town of Preston

---

*1st Reading*

*2nd Reading*

*3rd Reading*

---

MR. BROWN

---

(*Private Bill*)

No. 7

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting The United Church of Canada

---

MR. EDWARDS

---

(PRIVATE BILL)

---

TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting The United Church of Canada

**W**HEREAS The United Church of Canada by its petition Preamble.  
 has represented that it was incorporated under *The United Church of Canada Act* (Canada) and power was given 1924, c. 100 (Can.).  
 to it to make loans and invest moneys by clause c of section 18  
 of that Act; that by section 21 of *The United Church of Canada Act* (Ontario), the said Church and all boards, committees 1925, c. 125.  
 or other bodies established, appointed or created by it pursuant  
 to the provisions of the Act of Incorporation or the last-  
 mentioned Act, were given all rights, powers and privileges  
 conferred or intended to be conferred upon it or them by such  
 Acts or either of them within Ontario; and that an application  
 has been made to the Parliament of Canada for legislation  
 extending the power of The United Church of Canada to  
 invest and re-invest its moneys, including moneys held for  
 The Pension Fund of the said Church, in the investments in  
 which Canadian insurance companies are authorized to invest  
 and re-invest their moneys by *The Canadian and British Insurance Companies Act, 1932* (Canada), as amended and 1932, c. 46 (Can.).  
 as it may from time to time be amended; and whereas The  
 United Church of Canada by its petition has prayed for  
 legislation in respect of the matter hereinafter set forth;  
 and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:

1. If the Parliament of Canada authorizes The United Investments.  
 Church of Canada to make such investments, The United  
 Church of Canada and all boards, committees or other bodies  
 established, appointed or created by it pursuant to *The*  
*United Church of Canada Act* (Canada) and *The United Church*  
*of Canada Act* (Ontario), shall have and may exercise within  
 Ontario power to invest and re-invest its moneys, including  
 moneys held for The Pension Fund of the said Church, in  
 the investments in which Canadian insurance companies are

1932, c. 46  
(Can.).

authorized to invest and re-invest their moneys by *The Canadian and British Insurance Companies Act, 1932* (Canada), as amended and as it may from time to time be amended.

Commence-  
ment.

**2.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**3.** This Act may be cited as *The United Church of Canada Act, 1951*.







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BILL  
An Act respecting The United Church  
of Canada

---

*1st Reading*

*2nd Reading*

*3rd Reading*

---

MR. EDWARDS

---

*(Private Bill)*

No. 7

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting The United Church of Canada

---

MR. EDWARDS

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*(Reprinted as amended by the Committee on Private Bills.)*

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting The United Church of Canada

**W**HEREAS The United Church of Canada by its petition Preamble.  
 has represented that it was incorporated under *The* 1924, c. 100  
*United Church of Canada Act* (Canada) and power was given (Can.)  
 to it to make loans and invest moneys by clause *c* of section 18  
 of that Act; that by section 21 of *The United Church of Canada* 1925, c. 125.  
*Act* (Ontario), the said Church and all boards, committees  
 or other bodies established, appointed or created by it pursuant  
 to the provisions of the Act of Incorporation or the last-  
 mentioned Act, were given all rights, powers and privileges  
 conferred or intended to be conferred upon it or them by such  
 Acts or either of them within Ontario; and that an application  
 has been made to the Parliament of Canada for legislation  
 extending the power of The United Church of Canada to  
 invest and re-invest its moneys, including moneys held for  
 The Pension Fund of the said Church, in the investments in  
 which Canadian insurance companies are authorized from  
time to time by the Parliament of Canada to invest and  
re-invest their moneys; and whereas The United Church of  
 Canada by its petition has prayed for legislation in respect of  
 the matter hereinafter set forth; and whereas it is expedient  
 to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:

**1.** If the Parliament of Canada authorizes The United Investments.  
 Church of Canada to make such investments, The United  
 Church of Canada and all boards, committees or other bodies  
 established, appointed or created by it pursuant to *The*  
*United Church of Canada Act* (Canada) and *The United Church*  
*of Canada Act* (Ontario), shall have and may exercise within  
 Ontario power to invest and re-invest its moneys, including  
 moneys held for The Pension Fund of the said Church, in  
 the investments in which Canadian insurance companies are

authorized from time to time by the Parliament of Canada to invest and re-invest their moneys, and shall have all such rights and remedies for the collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

Commence-  
ment.

**2.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**3.** This Act may be cited as *The United Church of Canada Act, 1951*.







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BILL

An Act respecting The United Church  
of Canada

---

*1st Reading*

February 13th, 1951

*2nd Reading*

*3rd Reading*

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MR. EDWARDS

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*(Reprinted as amended by the Committee  
on Private Bills.)*

No. 7

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

---

# BILL

An Act respecting The United Church of Canada

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MR. EDWARDS

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

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*United Church of Canada Act* (Canada) and power was given (Can.).  
 to it to make loans and invest moneys by clause *c* of section 18  
 of that Act; that by section 21 of *The United Church of Canada* 1925, c. 125.  
*Act* (Ontario), the said Church and all boards, committees  
 or other bodies established, appointed or created by it pursuant  
 to the provisions of the Act of Incorporation or the last-  
 mentioned Act, were given all rights, powers and privileges  
 conferred or intended to be conferred upon it or them by such  
 Acts or either of them within Ontario; and that an application  
 has been made to the Parliament of Canada for legislation  
 extending the power of The United Church of Canada to  
 invest and re-invest its moneys, including moneys held for  
 The Pension Fund of the said Church, in the investments in  
 which Canadian insurance companies are authorized from  
 time to time by the Parliament of Canada to invest and  
 re-invest their moneys; and whereas The United Church of  
 Canada by its petition has prayed for legislation in respect of  
 the matter hereinafter set forth; and whereas it is expedient  
 to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:

**1.** If the Parliament of Canada authorizes The United Investments.  
 Church of Canada to make such investments, The United  
 Church of Canada and all boards, committees or other bodies  
 established, appointed or created by it pursuant to *The*  
*United Church of Canada Act* (Canada) and *The United Church*  
*of Canada Act* (Ontario), shall have and may exercise within  
 Ontario power to invest and re-invest its moneys, including  
 moneys held for The Pension Fund of the said Church, in  
 the investments in which Canadian insurance companies are

authorized from time to time by the Parliament of Canada to invest and re-invest their moneys, and shall have all such rights and remedies for the collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

**Commence-**  
**ment.**       **2.** This Act shall come into force on the day it receives the Royal Assent.

**Short title.**       **3.** This Act may be cited as *The United Church of Canada Act, 1951*.







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BILL

An Act respecting The United Church  
of Canada

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*1st Reading*

February 13th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

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MR. EDWARDS

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No. 8

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act respecting the General Trust of Canada (Trust Général du  
Canada)**

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MR. CHARTRAND

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting the General Trust of Canada (Trust Général du Canada)

**W**HEREAS General Trust of Canada (*Trust Général du* Preamble.  
*Canada*), hereinafter called the Company, by its petition has represented that it was incorporated under the name of "*Le Crédit Général*" by *An Act to incorporate Le Crédit général* (hereinafter called the Act of Incorporation), being chapter 117 of the Statutes of Quebec, 1909; that the Act of Incorporation was amended by *An Act to amend the charter of the General Trust*, being chapter 82 of the Statutes of Quebec, 1910, which amendment provided among other things for the name of the Company to be "*Le Crédit Général du Canada*" in French and "The General Trust of Canada" in English; that the Act of Incorporation was further amended by *An Act to amend the charter of the Crédit Général (General Trust)*, being chapter 102 of the Statutes of Quebec, 1912, passed in the second year of the reign of His Majesty King George V; that the Act of Incorporation was further amended by *An Act to amend the charter of The General Trust of Canada*, being chapter 117 of the Statutes of Quebec, 1928, which amendment provided among other things for the name of the Company to be "General Trust of Canada" in English and "*Trust Général du Canada*" in French; and that its present authorized capital is \$2,005,000 divided into 20,000 preferred shares with a par value of \$100 per share, of which 11,000 shares have been subscribed for, allotted and issued and the subscription price thereof, namely, \$1,100,000 has been paid in full, and 1,000 common shares with a par value of \$5 per share, all of which common shares have been subscribed for, allotted and issued and the subscription price thereof, namely, \$5,000 has been paid in full; and whereas the Company has prayed that an Act be passed authorizing it to transact the business of a trust company in Ontario in conformity to the public general law thereof; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Registration  
under  
Rev. Stat.,  
c. 214.

1. Upon giving security to the satisfaction of the Lieutenant-Governor in Council in a sum of not less than \$200,000, the Company may, upon filing with the Registrar appointed under *The Loan and Trust Corporations Act* a power of attorney as required by section 116 of that Act, be admissible to registry under that Act, and upon being so registered shall be authorized and empowered to carry on and exercise in Ontario the business of a trust company with those of the powers set forth in that Act which are within the capacity of the Company.

Further  
security.

2. The Lieutenant-Governor in Council may at any time or from time to time require an increase in the amount of such security by a notice in writing to the manager or secretary of the chief agency of the Company in Ontario; and if the Company fails to furnish such increased security within two months after such notice, then and thereupon the Company shall, *ipso facto*, become disentitled and shall cease to do further business in Ontario.

Chief  
agency in  
Ontario.

3. The chief agency of the Company for Ontario shall be in the City of Ottawa and the Company shall keep at that chief agency a manager and secretary who, as well as all other officers at the said agency or in Ontario, shall in respect of all business transacted by the Company in Ontario be absolutely subject to the control of the courts of Ontario as fully as if the head office of the Company were within Ontario, and as if the Company were wholly managed and controlled therein.

Investments.

4. All the investments of the Company in respect of all trust business entrusted to it in Ontario shall (subject to the provisions as to investments contained in the deed, will or other instrument of trust, and subject to the direction, if any, of the Supreme Court or of any judge thereof) be wholly invested at one or other of the agencies of the Company in Ontario; and the trust securities representing such investments from time to time shall be held and retained at all times at one or other of such agencies and under the control of the courts of Ontario, and shall (subject to the provisions of the said instruments of trust) be securities in which trustees or trust companies are, by the law of Ontario, authorized to invest trust funds.

Extent of  
powers.

Rev. Stat.,  
c. 214.

5. The Company shall be limited, in respect of all business relating to property and civil rights or provincial objects in Ontario, to the powers mentioned in *The Loan and Trust Corporations Act*, and shall be subject to the general provisions of that Act and to the general public law of Ontario relating to trust companies and trusts.

Separate  
accounts.

6. Subject to section 76 of *The Loan and Trust Corporations Act*, the moneys and securities of each trust shall always be

kept distinct from those of the Company and in separate accounts, and so marked in the books of the Company for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the Company and at no time shall trust moneys form part of or be mixed with the general assets of the Company.

**7.** Moneys, properties and securities received or held by the Company upon trust or as agent of any person or corporation shall not be liable for the debts or obligations of the Company. <sup>Trust property.</sup>

**8.** In the case of the appointment of the Company to any trust or office by any court or judge in Ontario, such court or judge may at any time and from time to time require the Company to render an account of its administration of the particular trust or office to which the Company has been so appointed and a judge of the Supreme Court may also at any time and from time to time appoint a suitable person to investigate the affairs and management of the Company, and as to the security offered to those by or for whom its engagements are held, and such person shall make his report to such court or judge and the costs and expenses of such investigation shall be borne as ordered by such court or judge. <sup>Jurisdiction of courts and judges in Ontario.</sup>

**9.** Nothing in this Act shall be deemed to authorize the Company to commence business in Ontario until it has been registered as required by the provisions of *The Loan and Trust Corporations Act* nor to continue except when so registered. <sup>Proviso. Rev. Stat., c. 214.</sup>

**10.** This Act shall come into force on the day it receives the Royal Assent. <sup>Commencement.</sup>

**11.** This Act may be cited as *The General Trust of Canada Act, 1951*. <sup>Short title.</sup>





BILL

An Act respecting the General Trust of  
Canada (Trust Général du Canada)

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. CHARTRAND

(*Private Bill*)

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act respecting the General Trust of Canada (Trust Général du  
Canada)**

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MR. CHARTRAND

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# BILL

## An Act respecting the General Trust of Canada (Trust Général du Canada)

**W**HEREAS General Trust of Canada (*Trust Général du Canada*), hereinafter called the Company, by its petition has represented that it was incorporated under the name of "*Le Crédit Général*" by *An Act to incorporate Le Crédit général* (hereinafter called the Act of Incorporation), being chapter 117 of the Statutes of Quebec, 1909; that the Act of Incorporation was amended by *An Act to amend the charter of the General Trust*, being chapter 82 of the Statutes of Quebec, 1910, which amendment provided among other things for the name of the Company to be "*Le Crédit Général du Canada*" in French and "The General Trust of Canada" in English; that the Act of Incorporation was further amended by *An Act to amend the charter of the Crédit Général (General Trust)*, being chapter 102 of the Statutes of Quebec, 1912, passed in the second year of the reign of His Majesty King George V; that the Act of Incorporation was further amended by *An Act to amend the charter of The General Trust of Canada*, being chapter 117 of the Statutes of Quebec, 1928, which amendment provided among other things for the name of the Company to be "General Trust of Canada" in English and "*Trust Général du Canada*" in French; and that its present authorized capital is \$2,005,000 divided into 20,000 preferred shares with a par value of \$100 per share, of which 11,000 shares have been subscribed for, allotted and issued and the subscription price thereof, namely, \$1,100,000 has been paid in full, and 1,000 common shares with a par value of \$5 per share, all of which common shares have been subscribed for, allotted and issued and the subscription price thereof, namely, \$5,000 has been paid in full; and whereas the Company has prayed that an Act be passed authorizing it to transact the business of a trust company in Ontario in conformity to the public general law thereof; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Registration  
under  
Rev. Stat.,  
c. 214.

1. Upon giving security to the satisfaction of the Lieutenant-Governor in Council in a sum of not less than \$200,000, the Company may, upon filing with the Registrar appointed under *The Loan and Trust Corporations Act* a power of attorney as required by section 116 of that Act, be admissible to registry under that Act, and upon being so registered shall be authorized and empowered to carry on and exercise in Ontario the business of a trust company with those of the powers set forth in that Act which are within the capacity of the Company.

Further  
security.

2. The Lieutenant-Governor in Council may at any time or from time to time require an increase in the amount of such security by a notice in writing to the manager or secretary of the chief agency of the Company in Ontario; and if the Company fails to furnish such increased security within two months after such notice, then and thereupon the Company shall, *ipso facto*, become disentitled and shall cease to do further business in Ontario.

Chief  
agency in  
Ontario.

3. The chief agency of the Company for Ontario shall be in the City of Ottawa and the Company shall keep at that chief agency a manager and secretary who, as well as all other officers at the said agency or in Ontario, shall in respect of all business transacted by the Company in Ontario be absolutely subject to the control of the courts of Ontario as fully as if the head office of the Company were within Ontario, and as if the Company were wholly managed and controlled therein.

Investments.

4. All the investments of the Company in respect of all trust business entrusted to it in Ontario shall (subject to the provisions as to investments contained in the deed, will or other instrument of trust, and subject to the direction, if any, of the Supreme Court or of any judge thereof) be wholly invested at one or other of the agencies of the Company in Ontario; and the trust securities representing such investments from time to time shall be held and retained at all times at one or other of such agencies and under the control of the courts of Ontario, and shall (subject to the provisions of the said instruments of trust) be securities in which trustees or trust companies are, by the law of Ontario, authorized to invest trust funds.

Extent of  
powers.

Rev. Stat.,  
c. 214.

5. The Company shall be limited, in respect of all business relating to property and civil rights or provincial objects in Ontario, to the powers mentioned in *The Loan and Trust Corporations Act*, and shall be subject to the general provisions of that Act and to the general public law of Ontario relating to trust companies and trusts.

Separate  
accounts.

6. Subject to section 76 of *The Loan and Trust Corporations Act*, the moneys and securities of each trust shall always be

kept distinct from those of the Company and in separate accounts, and so marked in the books of the Company for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the Company and at no time shall trust moneys form part of or be mixed with the general assets of the Company.

**7.** Moneys, properties and securities received or held by the Company upon trust or as agent of any person or corporation shall not be liable for the debts or obligations of the Company. <sup>Trust property.</sup>

**8.** In the case of the appointment of the Company to any trust or office by any court or judge in Ontario, such court or judge may at any time and from time to time require the Company to render an account of its administration of the particular trust or office to which the Company has been so appointed and a judge of the Supreme Court may also at any time and from time to time appoint a suitable person to investigate the affairs and management of the Company, and as to the security offered to those by or for whom its engagements are held, and such person shall make his report to such court or judge and the costs and expenses of such investigation shall be borne as ordered by such court or judge. <sup>Jurisdiction of courts and judges in Ontario.</sup>

**9.** Nothing in this Act shall be deemed to authorize the Company to commence business in Ontario until it has been registered as required by the provisions of *The Loan and Trust Corporations Act* nor to continue except when so registered. <sup>Proviso. Rev. Stat., c. 214.</sup>

**10.** This Act shall come into force on the day it receives the Royal Assent. <sup>Commencement.</sup>

**11.** This Act may be cited as *The General Trust of Canada Act, 1951*. <sup>Short title.</sup>





## BILL

An Act respecting the General Trust of  
Canada (Trust Général du Canada)

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 16th, 1951

*3rd Reading*

February 20th, 1951

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MR. CHARTRAND

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No. 9

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Sarnia

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MR. CATHCART

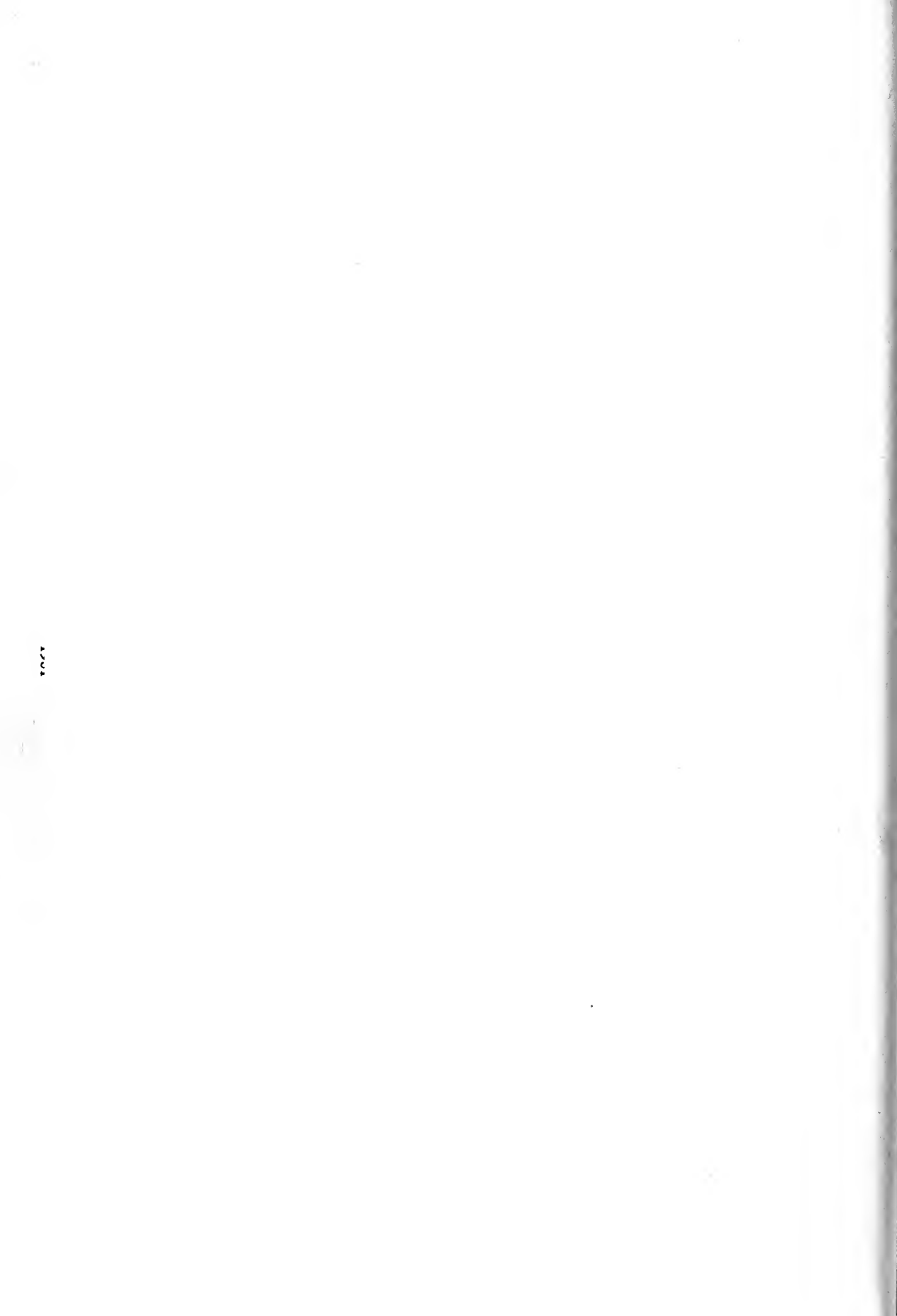
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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting the City of Sarnia

**W**HEREAS the Corporation of the City of Sarnia by Preamble.  
its petition has represented that on the 23rd day of October, 1950, By-law No. 3278 was passed by the council of the City for submitting to the electors the question "Are you in favour of an application being made to the Legislature to pass an Act empowering the Council to appoint and employ a salaried general administrative head, responsible to the City Council, to be known as the 'City Manager', whose duties, authority and salary are to be defined by by-law?"; that the question was submitted to the electors on the 4th day of December, 1950, and a majority of the electors voted in the affirmative; and that the council is desirous of carrying into effect the wishes of the electors; and whereas the Corporation has prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation may by by-law appoint and employ a general administrative head, to be known as the City Manager, who, Appointment of City Manager authorized.

- (a) shall have such general control and management of the administration of the City's government and affairs and perform such duties as the council by by-law prescribes;
- (b) shall be responsible for the efficient administration of all its departments to the extent that he is given authority and control over them;
- (c) shall hold office at the will and pleasure of the council; and
- (d) shall receive such salary as the council by by-law determines,

Commence-  
ment.

**2.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**3.** This Act may be cited as *The City of Sarnia Act, 1951*.







BILL

An Act respecting the City of Sarnia

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. CATHCART

*(Private Bill)*

No. 9

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Sarnia

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MR. CATHCART

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting the City of Sarnia

**W**HEREAS the Corporation of the City of Sarnia by Preamble.  
its petition has represented that on the 23rd day of October, 1950, By-law No. 3278 was passed by the council of the City for submitting to the electors the question "Are you in favour of an application being made to the Legislature to pass an Act empowering the Council to appoint and employ a salaried general administrative head, responsible to the City Council, to be known as the 'City Manager', whose duties, authority and salary are to be defined by by-law?"; that the question was submitted to the electors on the 4th day of December, 1950, and a majority of the electors voted in the affirmative; and that the council is desirous of carrying into effect the wishes of the electors; and whereas the Corporation has prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation may by by-law appoint and employ a general administrative head, to be known as the City Manager, who, Appointment of City Manager authorized.

- (a) shall have such general control and management of the administration of the City's government and affairs and perform such duties as the council by by-law prescribes;
- (b) shall be responsible for the efficient administration of all its departments to the extent that he is given authority and control over them;
- (c) shall hold office at the will and pleasure of the council; and
- (d) shall receive such salary as the council by by-law determines.

Commence-  
ment.

**2.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**3.** This Act may be cited as *The City of Sarnia Act, 1951*.







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BILL

An Act respecting the City of Sarnia

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*1st Reading*

February 13th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

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MR. CATHCART

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No. 10

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of St. Thomas

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MR. THOMAS (Elgin)

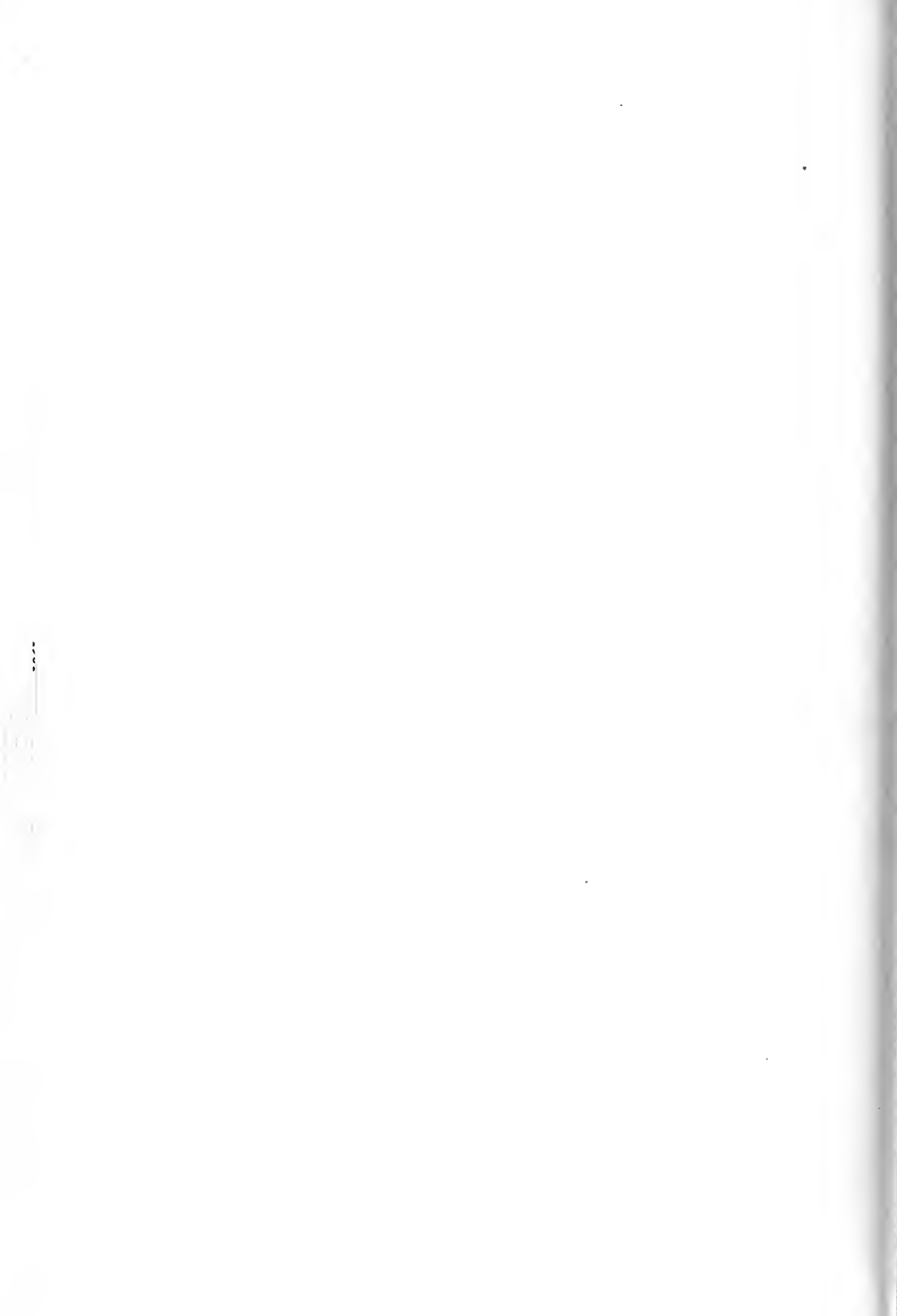
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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting the City of St. Thomas

**W**HEREAS the Corporation of the City of St. Thomas Preamble.  
by its petition has prayed for special legislation in  
respect of the several matters hereinafter set forth; and  
whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In addition to its powers under paragraph 92 of subsection 1 of section 388 of *The Municipal Act*, the council of the Corporation of the City of St. Thomas may, in any agreement granting a bus franchise, agree to pay to the person to whom the franchise is granted such sum, in such instalments, and on such terms and conditions as are set forth in the agreement. Bus franchise agreement as to payment. Rev. Stat., c. 243.

(2) The council of the Corporation may levy, in the year in which any such sum becomes due and payable or in the year next following the year in which any such sum becomes due and payable, a special rate, sufficient to provide such sum, on all the rateable property in the municipality or in the area defined in the agreement. Levy.

(3) No agreement entered into under subsection 1 shall be valid unless it has received the assent of the electors qualified to vote on money by-laws and has been approved by the Ontario Municipal Board. Assent or approval.

(4) Notwithstanding the provisions of subsection 3 or the provisions of section 67 of *The Ontario Municipal Board Act*, Exception. Rev. Stat., c. 262.

(a) where the term of the franchise as set forth in the agreement is for two months or less, neither the assent of the electors nor the approval of the Ontario Municipal Board shall be required; and

- (b) where the term of the franchise as set forth in the agreement is for more than two months but not more than one year, only the approval of the Ontario Municipal Board shall be required.

Annexation  
to City;

**2.—**(1) The lands hereinafter described are hereby detached from the Township of Yarmouth and annexed to the City of St. Thomas, and shall form part of the City of St. Thomas for all purposes:

ALL that part of the West half of Lot Six (6) in the Ninth Concession of the Township of Yarmouth, in the County of Elgin, which lies between the South limit of the right-of-way of the Canadian National Railway (formerly Grand Trunk Railway) and the production easterly of a line One Hundred and Thirty-two Feet (132') North of and parallel to the Northerly limit of Barwick Street as shown on Registered Plan 85 and East of the Northerly production of the centre line of First Avenue as shown on Registered Plan 65, containing two-thirds (2/3) of an acre more or less.

effective  
date.

(2) With respect to that part of the lands described in subsection 1 lying between the North limit of the right-of-way of the Canadian National Railway and the North limit of the South Half of the said Lot Number 6, in the Ninth Concession of the Township of Yarmouth, being one of the parcels of land described in a certain tax deed registered in the Registry Office for the Registry Division of the County of Elgin as Number 56887 for St. Thomas, the annexation of the said lands to the City of St. Thomas shall be deemed to have been in force on and from the date of the said deed, being the 27th day of April, 1940, and with respect to the balance of the lands described in subsection 1, the annexation thereof to the City of St. Thomas shall be deemed to have been in force on and from the 1st day of January, 1951.

Purchases  
by City  
validated.

**3.—**(1) Every purchase of lands made by the Corporation of the City of St. Thomas prior to the 1st day of January, 1951, is ratified, confirmed and declared to be legal, valid and binding, and every conveyance of such lands to the Corporation shall be deemed to have had the effect of vesting such land in the Corporation in fee simple or otherwise, according to the nature of the estate or interest conveyed, clear of and free from all right and interest other than that of the Corporation, and the lands so purchased shall be deemed to have been acquired for the purposes of the Corporation.

Sales  
by City  
validated.

(2) Every conveyance of lands or part or parts thereof executed by the Corporation prior to the 1st day of January, 1951, and purporting to convey such lands or part or parts thereof to the grantee thereof, his heirs and assigns, or its successors and assigns, and every lease or agreement of sale agreeing to sell land or part or parts thereof prior to the 1st day of January, 1951, is ratified, confirmed and declared to be

legal, valid and binding, and every such conveyance shall be deemed to have had the effect of vesting such land in the grantee, his heirs and assigns, or its successors and assigns, in fee simple or otherwise, according to the nature of the estate or interest conveyed.

4. The name of St. Charles Street, commonly known as Charles Street, in the City of St. Thomas, as shown on a plan registered as Number 140 in the Registry Office for the Registry Division of the County of Elgin, is changed to Devonshire Place.

5.—(1) This Act, except section 1, shall come into force on the day it receives the Royal Assent.

(2) Section 1 shall be deemed to have come into force on the 1st day of December, 1950.

6. This Act may be cited as *The City of St. Thomas Act, 1951*.





BILL

An Act respecting the City of  
St. Thomas

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. THOMAS (Elgin)

*(Private Bill)*

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of St. Thomas

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MR. THOMAS (Elgin)

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*(Reprinted as amended by the Committee on Private Bills)*





No. 10

1951

# BILL

## An Act respecting the City of St. Thomas

**W**HEREAS the Corporation of the City of St. Thomas Preamble.  
by its petition has prayed for special legislation in  
respect of the several matters hereinafter set forth; and  
whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In addition to its powers under paragraph 92 of subsection 1 of section 388 of *The Municipal Act*, the council Bus franchise agreement as to payment. Rev. Stat., c. 243. of the Corporation of the City of St. Thomas may, in any agreement granting a bus franchise, agree to pay to the person to whom the franchise is granted such sum, in such instalments, and on such terms and conditions as are set forth in the agreement.

(2) The council of the Corporation may levy, in the year Levy. in which any such sum becomes due and payable or in the year next following the year in which any such sum becomes due and payable, a special rate, sufficient to provide such sum, on all the rateable property in the municipality or in the area defined in the agreement.

(3) No agreement entered into under subsection 1 shall be Assent or approval. valid unless it has received the assent of the electors qualified to vote on money by-laws and has been approved by the Ontario Municipal Board.

(4) Notwithstanding the provisions of subsection 3 or the Exception. Rev. Stat., c. 262. provisions of section 67 of *The Ontario Municipal Board Act*,

(a) where the term of the franchise as set forth in the agreement is for two months or less, neither the assent of the electors nor the approval of the Ontario Municipal Board shall be required; and

- (b) where the term of the franchise as set forth in the agreement is for more than two months but not more than one year, only the approval of the Ontario Municipal Board shall be required.

Annexation  
to City;

2.—(1) The lands hereinafter described are hereby detached from the Township of Yarmouth and annexed to the City of St. Thomas, and shall form part of the City of St. Thomas for all purposes:

ALL that part of the West half of Lot Six (6) in the Ninth Concession of the Township of Yarmouth, in the County of Elgin, which lies between the South limit of the right-of-way of the Canadian National Railway (formerly Grand Trunk Railway) and the production easterly of a line One Hundred and Thirty-two Feet (132') North of and parallel to the Northerly limit of Barwick Street as shown on Registered Plan 85 and East of the Northerly production of the centre line of First Avenue as shown on Registered Plan 65, containing two-thirds (2/3) of an acre more or less.

effective  
date.

(2) With respect to that part of the lands described in subsection 1 lying between the North limit of the right-of-way of the Canadian National Railway and the North limit of the South Half of the said Lot Number 6, in the Ninth Concession of the Township of Yarmouth, being one of the parcels of land described in a certain tax deed registered in the Registry Office for the Registry Division of the County of Elgin as Number 56887 for St. Thomas, the annexation of the said lands to the City of St. Thomas shall be deemed to have been in force on and from the date of the said deed, being the 27th day of April, 1940, and with respect to the balance of the lands described in subsection 1, the annexation thereof to the City of St. Thomas shall be deemed to have been in force on and from the 1st day of January, 1951.

Purchases  
by City  
validated.

3.—(1) Every purchase of the lands described in the Schedule hereto made by the Corporation of the City of St. Thomas prior to the 1st day of January, 1951, is ratified, confirmed and declared to be legal, valid and binding, and every conveyance of such lands to the Corporation shall be deemed to have had the effect of vesting such land in the Corporation in fee simple or otherwise, according to the nature of the estate or interest conveyed, clear of and free from all right and interest other than that of the Corporation, and the lands so purchased shall be deemed to have been acquired for the purposes of the Corporation.

Sales  
by City  
validated.

(2) Every conveyance of the lands described in the Schedule hereto or part or parts thereof executed by the Corporation prior to the 1st day of January, 1951, and purporting to convey such lands or part or parts thereof to the grantee thereof, his heirs and assigns, or its successors and assigns, and every lease or agreement of sale agreeing to sell such

lands or part or parts thereof prior to the 1st day of January, 1951, is ratified, confirmed and declared to be legal, valid and binding, and every such conveyance shall be deemed to have had the effect of vesting such land in the grantee, his heirs and assigns, or its successors and assigns, in fee simple or otherwise, according to the nature of the estate or interest conveyed.

4. The name of St. Charles Street, commonly known as <sup>Street</sup> Charles Street, in the City of St. Thomas, as shown on a plan <sup>name</sup> registered as Number 140 in the Registry Office for the Registry Division of the County of Elgin, is changed to Devonshire Place.

5.—(1) This Act, except section 1, shall come into force <sup>Commence-</sup> on the day it receives the Royal Assent. <sup>ment.</sup>

(2) Section 1 shall be deemed to have come into force on <sup>Idem.</sup> the 1st day of December, 1950.

6. This Act may be cited as *The City of St. Thomas Act*, <sup>Short title.</sup> 1951.

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## SCHEDULE

### A

All lots shown on plan registered in the Registry Office for the Registry Division of the County of Elgin as number 245.

### B

All that part of the south three-quarters of township lot 8 in the 9th concession of the Township of Yarmouth, now in the City of St. Thomas, lying north of the northerly limit of the Canadian National Railways' right-of-way, but excepting therefrom the right-of-way of the Canadian Pacific Railway Company.





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BILL

An Act respecting the City of  
St. Thomas

---

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

---

MR. THOMAS (Elgin)

---

*(Reprinted as amended by the Committee  
on Private Bills)*

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act respecting the City of St. Thomas**

---

MR. THOMAS (Elgin)

---





# BILL

## An Act respecting the City of St. Thomas

**W**HEREAS the Corporation of the City of St. Thomas Preamble.  
by its petition has prayed for special legislation in  
respect of the several matters hereinafter set forth; and  
whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In addition to its powers under paragraph 92 of subsection 1 of section 388 of *The Municipal Act*, the council of the Corporation of the City of St. Thomas may, in any agreement granting a bus franchise, agree to pay to the person to whom the franchise is granted such sum, in such instalments, and on such terms and conditions as are set forth in the agreement. Bus franchise agreement as to payment. Rev. Stat., c. 243.

(2) The council of the Corporation may levy, in the year in which any such sum becomes due and payable or in the year next following the year in which any such sum becomes due and payable, a special rate, sufficient to provide such sum, on all the rateable property in the municipality or in the area defined in the agreement. Levy.

(3) No agreement entered into under subsection 1 shall be valid unless it has received the assent of the electors qualified to vote on money by-laws and has been approved by the Ontario Municipal Board. Assent or approval.

(4) Notwithstanding the provisions of subsection 3 or the provisions of section 67 of *The Ontario Municipal Board Act*, Exception. Rev. Stat., c. 262.

(a) where the term of the franchise as set forth in the agreement is for two months or less, neither the assent of the electors nor the approval of the Ontario Municipal Board shall be required; and

- (b) where the term of the franchise as set forth in the agreement is for more than two months but not more than one year, only the approval of the Ontario Municipal Board shall be required.

Annexation  
to City;

**2.—**(1) The lands hereinafter described are hereby detached from the Township of Yarmouth and annexed to the City of St. Thomas, and shall form part of the City of St. Thomas for all purposes:

ALL that part of the West half of Lot Six (6) in the Ninth Concession of the Township of Yarmouth, in the County of Elgin, which lies between the South limit of the right-of-way of the Canadian National Railway (formerly Grand Trunk Railway) and the production easterly of a line One Hundred and Thirty-two Feet (132') North of and parallel to the Northerly limit of Barwick Street as shown on Registered Plan 85 and East of the Northerly production of the centre line of First Avenue as shown on Registered Plan 65, containing two-thirds (2/3) of an acre more or less.

effective  
date.

(2) With respect to that part of the lands described in subsection 1 lying between the North limit of the right-of-way of the Canadian National Railway and the North limit of the South Half of the said Lot Number 6, in the Ninth Concession of the Township of Yarmouth, being one of the parcels of land described in a certain tax deed registered in the Registry Office for the Registry Division of the County of Elgin as Number 56887 for St. Thomas, the annexation of the said lands to the City of St. Thomas shall be deemed to have been in force on and from the date of the said deed, being the 27th day of April, 1940, and with respect to the balance of the lands described in subsection 1, the annexation thereof to the City of St. Thomas shall be deemed to have been in force on and from the 1st day of January, 1951.

Purchases  
by City  
validated.

**3.—**(1) Every purchase of the lands described in the Schedule hereto made by the Corporation of the City of St. Thomas prior to the 1st day of January, 1951, is ratified, confirmed and declared to be legal, valid and binding, and every conveyance of such lands to the Corporation shall be deemed to have had the effect of vesting such land in the Corporation in fee simple or otherwise, according to the nature of the estate or interest conveyed, clear of and free from all right and interest other than that of the Corporation, and the lands so purchased shall be deemed to have been acquired for the purposes of the Corporation.

Sales  
by City  
validated.

(2) Every conveyance of the lands described in the Schedule hereto or part or parts thereof executed by the Corporation prior to the 1st day of January, 1951, and purporting to convey such lands or part or parts thereof to the grantee thereof, his heirs and assigns, or its successors and assigns, and every lease or agreement of sale agreeing to sell such

lands or part or parts thereof prior to the 1st day of January, 1951, is ratified, confirmed and declared to be legal, valid and binding, and every such conveyance shall be deemed to have had the effect of vesting such land in the grantee, his heirs and assigns, or its successors and assigns, in fee simple or otherwise, according to the nature of the estate or interest conveyed.

4. The name of St. Charles Street, commonly known as <sup>Street</sup> Charles Street, in the City of St. Thomas, as shown on a plan <sup>name</sup> registered as Number 140 in the Registry Office for the Registry Division of the County of Elgin, is changed to Devonshire Place. <sup>changed.</sup>

5.—(1) This Act, except section 1, shall come into force <sup>Commence-</sup> on the day it receives the Royal Assent. <sup>ment.</sup>

(2) Section 1 shall be deemed to have come into force on <sup>Idem.</sup> the 1st day of December, 1950.

6. This Act may be cited as *The City of St. Thomas Act*, <sup>Short title.</sup> 1951.

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## SCHEDULE

### A

All lots shown on plan registered in the Registry Office for the Registry Division of the County of Elgin as number 245.

### B

All that part of the south three-quarters of township lot 8 in the 9th concession of the Township of Yarmouth, now in the City of St. Thomas, lying north of the northerly limit of the Canadian National Railways' right-of-way, but excepting therefrom the right-of-way of the Canadian Pacific Railway Company.





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BILL

An Act respecting the City of  
St. Thomas

---

*1st Reading*

February 8th, 1951

*2nd Reading*

March 2nd, 1951

*3rd Reading*

March 6th, 1951

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MR. THOMAS (Elgin)

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No. 11

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act respecting the Township of Moore**

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MR. CATHCART

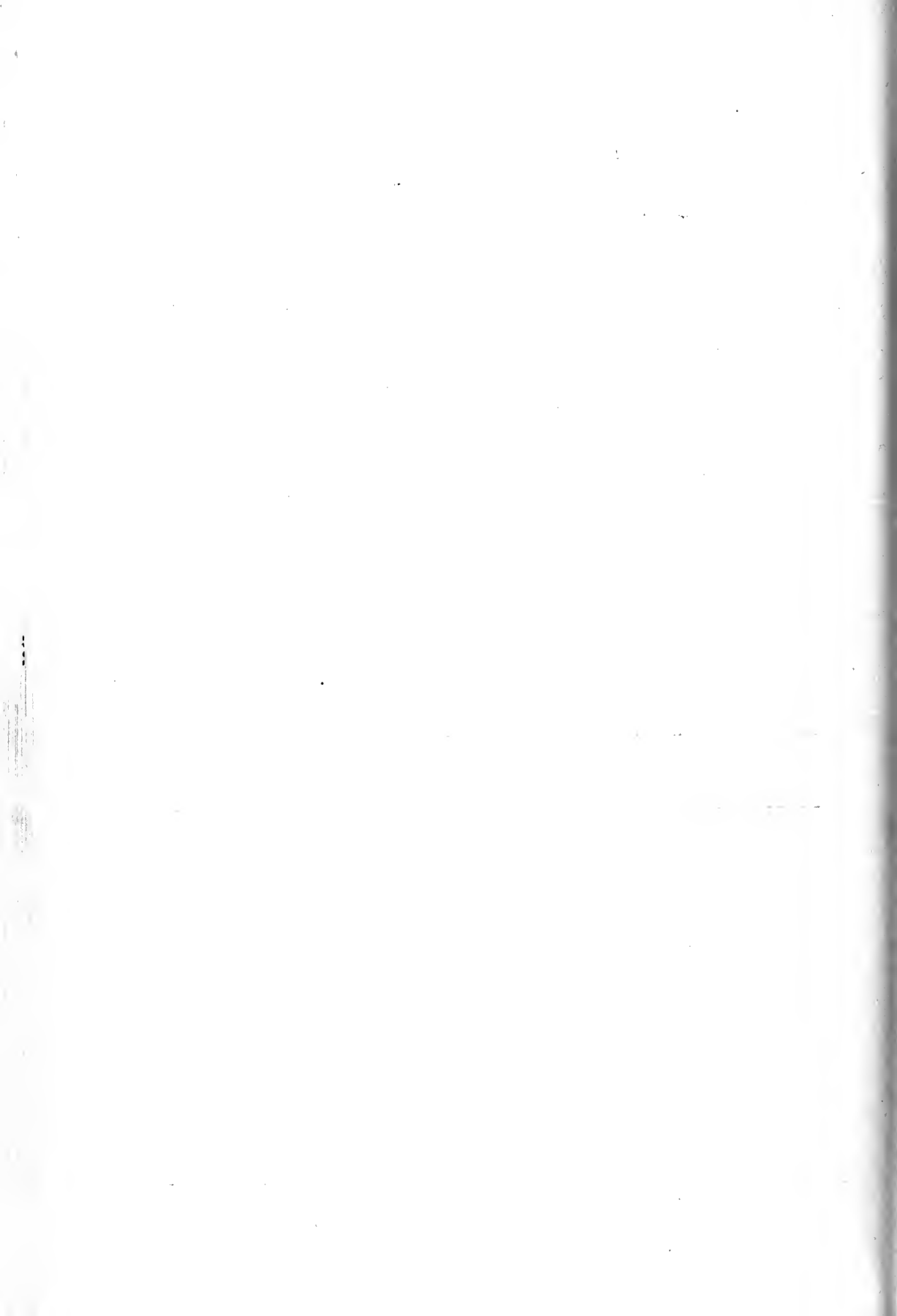
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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





No. 11

1951

# BILL

## An Act respecting the Township of Moore

**W**HEREAS the Corporation of the Township of Moore <sup>Preamble.</sup> by its petition has represented that on the 1st day of December, 1950, By-law No. 48 of 1950 was passed by the council of the Corporation for submitting to the electors the question "Are you in favour of granting a fixed assessment of \$1,500,000.00 on the lands, buildings, trackage and dockage of the Canadian Oil Refineries Limited, which said fixed annual assessment is to be for a period of ten years only, and does not apply to or affect taxation for school purposes, local improvements or business, which assessment shall be made on the full assessable value of the said refinery lands and premises, trackage and dockage in connection therewith, and further does not apply to any part of the lands and premises used for the purpose of housing which also shall be assessed at their full assessable value?"; that the question was submitted to the electors on the 1st day of January, 1951, and a majority of the electors voted in the affirmative; and that the council is desirous of carrying into effect the wishes of the electors; and whereas the Corporation has prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation may, by by-law without <sup>Fixed assessment authorized.</sup> the assent of the electors qualified to vote on money by-laws, grant a fixed annual assessment of \$1,500,000 on the lands, buildings, trackage and dockage of the Canadian Oil Refineries Limited, which fixed annual assessment is to be for a period of ten years only and is not to apply to or affect taxation for school purposes, local improvements or business, the assessments for which shall be made in accordance with the general law applicable and further is not to apply to any part of the lands and premises used for the purpose of housing which also shall be assessed in accordance with the general law applicable,

Commence-  
ment.

**2.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**3.** This Act may be cited as *The Township of Moore Act, 1951*.







BILL

An Act respecting the Township of Moore

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. CATHCART

*(Private Bill)*

No. 11

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act respecting the Township of Moore**

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MR. CATHCART

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





No. 11

1951

# BILL

## An Act respecting the Township of Moore

**W**HEREAS the Corporation of the Township of Moore Preamble. by its petition has represented that on the 1st day of December, 1950, By-law No. 48 of 1950 was passed by the council of the Corporation for submitting to the electors the question "Are you in favour of granting a fixed assessment of \$1,500,000.00 on the lands, buildings, trackage and dockage of the Canadian Oil Refineries Limited, which said fixed annual assessment is to be for a period of ten years only, and does not apply to or affect taxation for school purposes, local improvements or business, which assessment shall be made on the full assessable value of the said refinery lands and premises, trackage and dockage in connection therewith, and further does not apply to any part of the lands and premises used for the purpose of housing which also shall be assessed at their full assessable value?"; that the question was submitted to the electors on the 1st day of January, 1951, and a majority of the electors voted in the affirmative; and that the council is desirous of carrying into effect the wishes of the electors; and whereas the Corporation has prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation may, by by-law without the assent of the electors qualified to vote on money by-laws, Fixed assessment authorized. grant a fixed annual assessment of \$1,500,000 on the lands, buildings, trackage and dockage of the Canadian Oil Refineries Limited, which fixed annual assessment is to be for a period of ten years only and is not to apply to or affect taxation for school purposes, local improvements or business, the assessments for which shall be made in accordance with the general law applicable and further is not to apply to any part of the lands and premises used for the purpose of housing which also shall be assessed in accordance with the general law applicable.

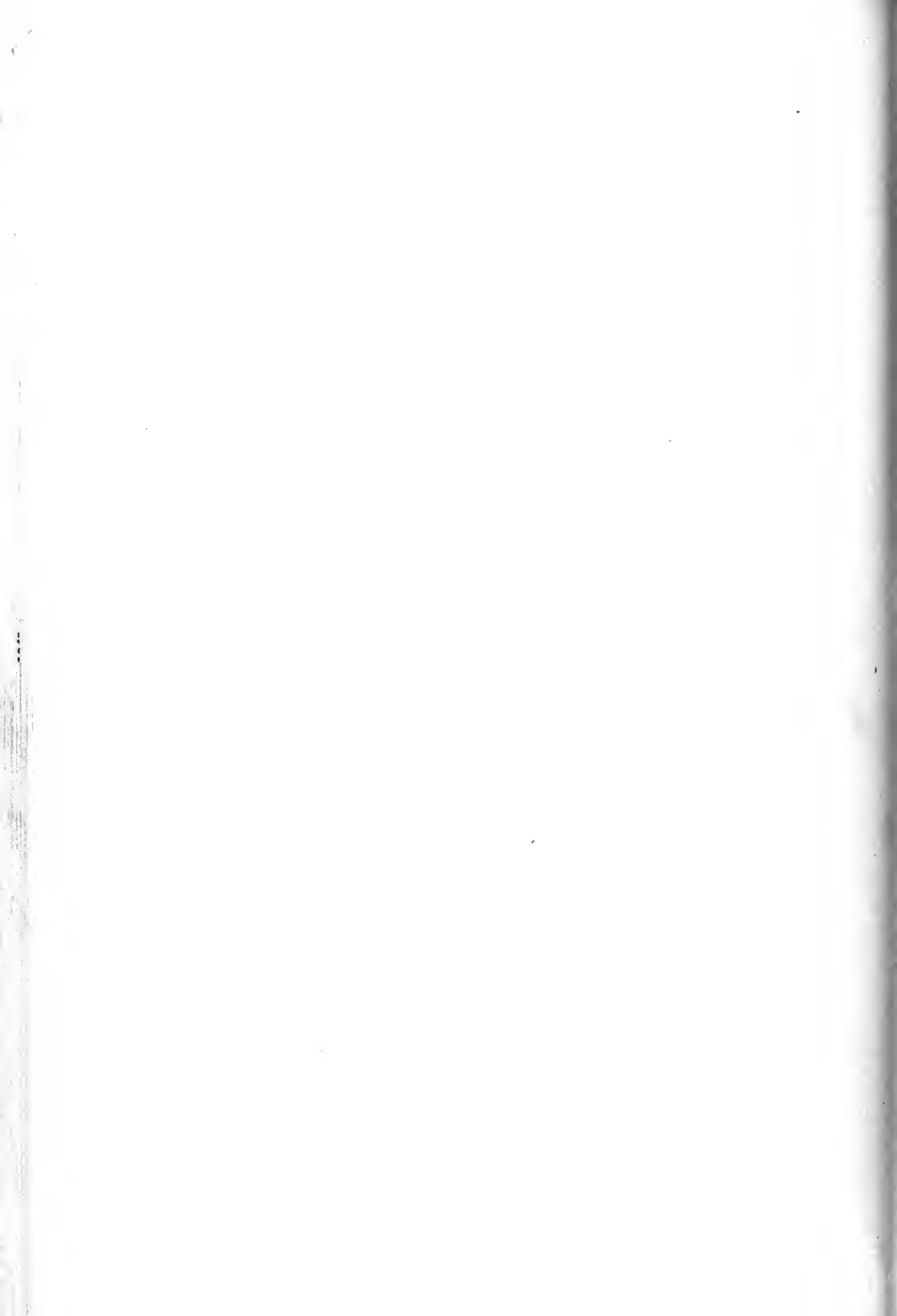
Commence-  
ment.

**2.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**3.** This Act may be cited as *The Township of Moore Act, 1951*.







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BILL

An Act respecting the Township of Moore

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*1st Reading*

February 13th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

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MR. CATHCART

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No. 12

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Woodstock

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MR. DENT

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(PRIVATE BILL)

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TORONTO  
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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting the City of Woodstock

**W**HEREAS the Corporation of the City of Woodstock Preamble.  
by its petition has prayed for special legislation to  
confirm an order of the Ontario Municipal Board annexing  
part of the Township of East Oxford to the City of Woodstock;  
and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Order P.F. C-279 of the Ontario Municipal Board, Annexation order confirmed as amended.  
dated the 8th day of February, 1950, set out as the Schedule  
hereto, is hereby confirmed, except that as confirmed the  
figures "1950" in paragraphs 2, 4 and 5 of the Order shall be  
deemed to read "1951" and the figures "1951" in paragraphs  
2 and 4 of the Order shall be deemed to read "1952".

(2) Notwithstanding anything in the said Order, the Order Effective date.  
shall come into force on the 1st day of January, 1952.

**2.** The City of Woodstock shall assess the properties in Assessment and taxation for 1952.  
the annexed area for taxation purposes for the year 1952 at  
the same time and in the same manner as other assessments  
are made within the boundaries of the City of Woodstock  
for taxes payable for and in the year 1952, and all rates levied  
on property within the boundaries of the City of Woodstock  
shall be levied against the properties in the annexed area  
in the year 1952 by the City of Woodstock, and shall be payable  
to the City of Woodstock at the same time and in like  
manner as all other rates levied in the year 1952.

**3.** All taxes imposed by the Township of East Oxford in Collection of 1951 taxes.  
the annexed area up to the 31st day of December, 1951, and  
all arrears of taxes in the annexed area shall belong to the  
Township of East Oxford, and after the 31st day of December,  
1951, any such arrears shall be payable to and collectable by  
the treasurer of the City of Woodstock in the same manner as  
taxes owing to the City of Woodstock, and the treasurer shall

remit such payments to the clerk of the Township of East Oxford.

Commence-  
ment.      **4.** This Act shall come into force on the day it receives the Royal Assent.

Short title.      **5.** This Act may be cited as *The City of Woodstock Act, 1951*.

## SCHEDULE

P.F. C-279

## THE ONTARIO MUNICIPAL BOARD

Wednesday, the eighth day of February, A.D. 1950.

## BEFORE:

W. P. NEAR, B.A.Sc.,  
Vice-Chairman,

—and—

R. C. ROWLAND, Member.

IN THE MATTER of Section 23 of  
"The Municipal Act" (R.S.O.  
1937, Chapter 266), (as re-  
enacted by O.S. 1939, Chapter 30,  
Section 2) and as amended by  
O.S. 1947, Chapter 69, Section 2,  
and

IN THE MATTER of an application  
by the Corporation of the City  
of Woodstock for annexation  
thereto of part of the Township  
of East Oxford, in the County of  
Oxford, described in Schedule  
"A" attached hereto, and

IN THE MATTER of By-law Number  
2692 of the Corporation of the  
City of Woodstock.

UPON THE APPLICATION of the Corporation of the City of Woodstock and upon reading its By-law Number 2692 passed on the eleventh day of April, 1949, authorizing an application to this Board for an Order annexing parts of the Township of East Oxford to the City of Woodstock, upon being satisfied that notice of this hearing was given as directed by the Board and upon holding a public hearing in the City Hall in the City of Woodstock on the twenty-fourth day of November, 1949,

## THIS BOARD DOETH ORDER AND PROCLAIM:

1. That that part of the area described in the schedule hereto annexed, be and the same is hereby annexed to the City of Woodstock.
2. That the said area described in paragraph 1 hereof shall be added to the assessment rolls of the City of Woodstock for the year 1950, upon which taxes will be levied in the year 1951.
3. That the Corporation of the City of Woodstock shall have the right to and shall collect all the said taxes and for that purpose may exercise all the relevant powers provided in *The Assessment Act*.
4. That the said area shall be removed from the assessment rolls of the Township of East Oxford for the year 1950, upon which taxes would have been levied in the year 1951.
5. That upon the lands in the said area, including buildings, if any, being added to the said 1950 rolls for the City of Woodstock and so assessed, the owners, respectively, shall receive assessment notices thereof and shall have and may exercise all the rights of appeal provided in *The Assessment Act*.
6. That the area described in the schedule hereto shall be known as part of St. John's Ward of the City of Woodstock.

7. That all rights, titles and interests of the Corporation of the Township of East Oxford in all roads and streets and allowances therefor in the said area shall vest in the Corporation of the City of Woodstock, from and after the date that this order takes effect.

8. That the Corporations of the City of Woodstock and the Township of East Oxford shall be entitled to and shall be bound to make an adjustment of assets and liabilities, pursuant to said Section 23 of *The Municipal Act* and Section 38 of *The Public Schools Act* shall apply as between the Municipalities and School sections affected by this Order and in the event of the parties hereto not being able to agree upon the adjustment of assets and liabilities, then all such questions may be referred to the Judge of the County Court of the County of Oxford, or such person or persons as the Board may appoint, who shall make inquiry and report to this Board upon the adjustment of assets and liabilities and all rights, claims, liabilities and obligations referred to in clauses (a), (b), and (c) of subsection 8 of Section 23 of *The Municipal Act*.

AND THE BOARD FURTHER ORDERS, that unless an objection is filed with the Board pursuant to subsections (14) and (15) of Section 23 of *The Municipal Act*, which objection is not withdrawn, this Order shall come into force as and from the first day of January, 1951.

(Seal)

W. P. NEAR,  
Vice-Chairman.

#### *Schedule A*

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of East Oxford in the County of Oxford and Province of Ontario, and being composed of the East half of lot Eighteen, all of Lot Seventeen and that part of Lot Sixteen in the First Concession of said Township lying west of the westerly boundary of a given Road known as "Beard's Lane" lying along the easterly boundary of Lot Sixteen, containing Four Hundred and Ninety-five acres more or less.

ALL THAT PART of the original Townline between the Townships of East Oxford and Blandford in the County of Oxford and Province of Ontario, which lies between the westerly boundary of Lot Eighteen in the First Concession of the Township of Blandford and the line between the East and West halves of Lot Seventeen in the First Concession of said Township, containing Three and Seven-tenths acres, more or less.



BILL

An Act respecting the City of  
Woodstock

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. DENT

*(Private Bill)*

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Woodstock

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MR. DENT

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# BILL

## An Act respecting the City of Woodstock

**W**HEREAS the Corporation of the City of Woodstock Preamble.  
by its petition has prayed for special legislation to  
confirm an order of the Ontario Municipal Board annexing  
part of the Township of East Oxford to the City of Woodstock;  
and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Order P.F. C-279 of the Ontario Municipal Board, Annexation order confirmed as amended.  
dated the 8th day of February, 1950, set out as the Schedule  
hereto, is hereby confirmed, except that as confirmed the  
figures "1950" in paragraphs 2, 4 and 5 of the Order shall be  
deemed to read "1951" and the figures "1951" in paragraphs  
2 and 4 of the Order shall be deemed to read "1952".

(2) Notwithstanding anything in the said Order, the Order Effective date.  
shall come into force on the 1st day of January, 1952.

**2.** The City of Woodstock shall assess the properties in Assessment and taxation for 1952.  
the annexed area for taxation purposes for the year 1952 at  
the same time and in the same manner as other assessments  
are made within the boundaries of the City of Woodstock  
for taxes payable for and in the year 1952, and all rates levied  
on property within the boundaries of the City of Woodstock  
shall be levied against the properties in the annexed area  
in the year 1952 by the City of Woodstock, and shall be payable  
to the City of Woodstock at the same time and in like  
manner as all other rates levied in the year 1952.

**3.** All taxes imposed by the Township of East Oxford in Collection of 1951 taxes.  
the annexed area up to the 31st day of December, 1951, and  
all arrears of taxes in the annexed area shall belong to the  
Township of East Oxford, and after the 31st day of December,  
1951, any such arrears shall be payable to and collectable by  
the treasurer of the City of Woodstock in the same manner as  
taxes owing to the City of Woodstock, and the treasurer shall

remit such payments to the clerk of the Township of East Oxford.

Commence-  
ment.

4. This Act shall come into force on the day it receives the Royal Assent.

Short title.

5. This Act may be cited as *The City of Woodstock Act, 1951*.

## SCHEDULE

P.F. C-279

## THE ONTARIO MUNICIPAL BOARD

Wednesday, the eighth day of February, A.D. 1950.

## BEFORE:

W. P. NEAR, B.A.Sc.,  
Vice-Chairman,

—and—

R. C. ROWLAND, Member.

IN THE MATTER of Section 23 of  
"The Municipal Act" (R.S.O.  
1937, Chapter 266), (as re-  
enacted by O.S. 1939, Chapter 30,  
Section 2) and as amended by  
O.S. 1947, Chapter 69, Section 2,  
and

IN THE MATTER of an application  
by the Corporation of the City  
of Woodstock for annexation  
thereto of part of the Township  
of East Oxford, in the County of  
Oxford, described in Schedule  
"A" attached hereto, and

IN THE MATTER of By-law Number  
2692 of the Corporation of the  
City of Woodstock.

UPON THE APPLICATION of the Corporation of the City of Woodstock and upon reading its By-law Number 2692 passed on the eleventh day of April, 1949, authorizing an application to this Board for an Order annexing parts of the Township of East Oxford to the City of Woodstock, upon being satisfied that notice of this hearing was given as directed by the Board and upon holding a public hearing in the City Hall in the City of Woodstock on the twenty-fourth day of November, 1949,

## THIS BOARD DOETH ORDER AND PROCLAIM:

1. That that part of the area described in the schedule hereto annexed, be and the same is hereby annexed to the City of Woodstock.
2. That the said area described in paragraph 1 hereof shall be added to the assessment rolls of the City of Woodstock for the year 1950, upon which taxes will be levied in the year 1951.
3. That the Corporation of the City of Woodstock shall have the right to and shall collect all the said taxes and for that purpose may exercise all the relevant powers provided in *The Assessment Act*.
4. That the said area shall be removed from the assessment rolls of the Township of East Oxford for the year 1950, upon which taxes would have been levied in the year 1951.
5. That upon the lands in the said area, including buildings, if any, being added to the said 1950 rolls for the City of Woodstock and so assessed, the owners, respectively, shall receive assessment notices thereof and shall have and may exercise all the rights of appeal provided in *The Assessment Act*.
6. That the area described in the schedule hereto shall be known as part of St. John's Ward of the City of Woodstock.

7. That all rights, titles and interests of the Corporation of the Township of East Oxford in all roads and streets and allowances therefor in the said area shall vest in the Corporation of the City of Woodstock, from and after the date that this order takes effect.

8. That the Corporations of the City of Woodstock and the Township of East Oxford shall be entitled to and shall be bound to make an adjustment of assets and liabilities, pursuant to said Section 23 of *The Municipal Act* and Section 38 of *The Public Schools Act* shall apply as between the Municipalities and School sections affected by this Order and in the event of the parties hereto not being able to agree upon the adjustment of assets and liabilities, then all such questions may be referred to the Judge of the County Court of the County of Oxford, or such person or persons as the Board may appoint, who shall make inquiry and report to this Board upon the adjustment of assets and liabilities and all rights, claims, liabilities and obligations referred to in clauses (a), (b), and (c) of subsection 8 of Section 23 of *The Municipal Act*.

AND THE BOARD FURTHER ORDERS, that unless an objection is filed with the Board pursuant to subsections (14) and (15) of Section 23 of *The Municipal Act*, which objection is not withdrawn, this Order shall come into force as and from the first day of January, 1951.

(Seal)

W. P. NEAR,  
Vice-Chairman.

#### *Schedule A*

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of East Oxford in the County of Oxford and Province of Ontario, and being composed of the East half of lot Eighteen, all of Lot Seventeen and that part of Lot Sixteen in the First Concession of said Township lying west of the westerly boundary of a given Road known as "Beard's Lane" lying along the easterly boundary of Lot Sixteen, containing Four Hundred and Ninety-five acres more or less.

ALL THAT PART of the original Townline between the Townships of East Oxford and Blandford in the County of Oxford and Province of Ontario, which lies between the westerly boundary of Lot Eighteen in the First Concession of the Township of Blandford and the line between the East and West halves of Lot Seventeen in the First Concession of said Township, containing Three and Seven-tenths acres, more or less.



BILL

An Act respecting the City of  
Woodstock

*1st Reading*

February 8th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

MR. DENT

No. 13

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Fort William

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MR. COX

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting the City of Fort William

**W**HEREAS the Corporation of the City of Fort William <sup>Preamble.</sup> by its petition has represented that at its annual municipal election on the 4th day of December, 1950, the following questions were submitted to the municipal electors:

- (1) "Are you in favour of the Fort William Gardens being administered by a Board of Directors as recommended by the City Council on July 11th, 1950. The composition of the said Board to be as follows:

Two members of the City Council to be appointed annually to the said Board by the Council.

Two resident ratepayers to be appointed by the City Council for a period of three years.

Two resident ratepayers to be appointed by the City Council for a period of two years.

His Worship the Mayor to be an *exofficio* member of the said Board?"

- (2) "Are you in favour of the Fort William Gardens being administered by a Committee comprised solely of members of the Council of The Corporation of the City of Fort William?"

- (3) "Are you in favour of the Fort William Gardens being administered by a Committee comprised solely of resident ratepayers outside of Council's jurisdiction, to be elected annually at the Municipal Elections?"

and whereas 2,362 voted in the affirmative on question (1) and 456 voted in the negative thereon, and whereas 366 voted in favour of question (2) and 798 voted in the negative thereon, and whereas 1,257 voted in favour of question (3) and 633 voted in the negative thereon, and the vote indicates that the municipal electors desire that Fort William Gardens be operated by a Board of Directors composed as set out in question (1); and whereas the Corporation has prayed that an Act may be passed to provide for the establishment of such a Board and to set out its powers and duties; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent

of the Legislative Assembly of the Province of Ontario, enacts as follows:

Fort William  
Gardens  
Board.

1946, c. 118.

**1.** The operation, control and management of what was described as a skating rink and community centre in *The City of Fort William Act, 1946*, and since and now known as Fort William Gardens, the grounds appertaining thereto, and the activities in connection therewith, are hereby entrusted to a board of directors which shall be a body corporate, consisting of seven members to be known as "Fort William Gardens Board", hereinafter called the "Board".

Appoint-  
ments to  
Board.

**2.—(1)** Commencing with the year 1951, the Board shall be composed of,

- (a) two members of the City council appointed annually by the council;
- (b) two resident ratepayers, other than members of the City council or any board or commission acting for or on behalf of the City, appointed by the council for a period of three calendar years;
- (c) two such resident ratepayers appointed by the council for a period of two calendar years; and
- (d) the mayor of the City as an *ex officio* member.

Appoint-  
ments  
confirmed.

(2) All appointments of members to the Board made since the 1st day of January, 1951, are hereby confirmed.

Vacancies.

**3.** Where a vacancy among the appointed members of the Board occurs from any cause, the City council shall immediately appoint a successor and such successor shall hold office during the remainder of his predecessor's term.

Quorum.

**4.** A majority of the members of the Board shall constitute a quorum.

Remunera-  
tion of  
members.

**5.** The City council may by by-law fix any salary, remuneration or emolument of the members of the Board.

Officers.

**6.** The officers of the Board shall consist of a secretary, a treasurer, a chairman and a vice-chairman, and the chairman and vice-chairman shall be members of the Board and shall be elected annually by the members of the Board.

Employees  
and servants.

**7.** Every employee and servant of the Board shall hold office during the pleasure of the Board.

Report to  
council.

**8.—(1)** The Board shall report every three months to the City council, or earlier if desired by council.

(2) The two members of council on the Board shall act as direct liaison officers between the council and the Board. Liaison between council and Board.

9. All accounts incurred by the Board shall be dealt with in the same manner as all other departments under the jurisdiction of the City council and shall be subject to audit by the auditors of the City and shall be paid monthly by the City treasurer on recommendation of the Board. Accounts of Board.

10. Profits on the operation of Fort William Gardens, after adequate provision for operating expenses and depreciation, and after taking care of all principal and interest then owing in respect of debentures in connection with Fort William Gardens, shall be paid to the treasurer of the City and placed to the credit of Fort William Gardens' account and held as a surplus available against any future losses in operation. Profits.

11. The Board shall not have the power to borrow moneys for capital expenditures but may borrow from time to time, by way of promissory notes or otherwise, such sums as it may deem necessary for current expenditures but only upon the approval of the City council expressed by resolution. Borrowing power.

12. If the operations of the Board result in a deficit as shown on the annual audit statement, the City council, upon receiving application from the Board and upon being satisfied that such funds are required by the Board, shall include such deficit in the first City budget estimates to be made after receipt of such application. Deficits.

13. The Board shall, in addition to the powers herein conferred, have the powers conferred on the City council by subsection 3 of section 4 of *The City of Fort William Act, 1946*. Powers of Board under 1946, c. 118.

14. This Act shall be deemed to have come into force on the 1st day of January, 1951. Commencement.

15. This Act may be cited as *The City of Fort William Act, 1951*. Short title.





BILL

An Act respecting the City of  
Fort William

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. COX

*(Private Bill)*

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act respecting the City of Fort William**

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MR. COX

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# BILL

## An Act respecting the City of Fort William

**W**HEREAS the Corporation of the City of Fort William **Preamble.** by its petition has represented that at its annual municipal election on the 4th day of December, 1950, the following questions were submitted to the municipal electors:

- (1) "Are you in favour of the Fort William Gardens being administered by a Board of Directors as recommended by the City Council on July 11th, 1950. The composition of the said Board to be as follows:

Two members of the City Council to be appointed annually to the said Board by the Council.

Two resident ratepayers to be appointed by the City Council for a period of three years.

Two resident ratepayers to be appointed by the City Council for a period of two years.

His Worship the Mayor to be an *ex officio* member of the said Board?"

- (2) "Are you in favour of the Fort William Gardens being administered by a Committee comprised solely of members of the Council of The Corporation of the City of Fort William?"
- (3) "Are you in favour of the Fort William Gardens being administered by a Committee comprised solely of resident ratepayers outside of Council's jurisdiction, to be elected annually at the Municipal Elections?"

and whereas 2,362 voted in the affirmative on question (1) and 456 voted in the negative thereon, and whereas 366 voted in favour of question (2) and 798 voted in the negative thereon, and whereas 1,257 voted in favour of question (3) and 633 voted in the negative thereon, and the vote indicates that the municipal electors desire that Fort William Gardens be operated by a Board of Directors composed as set out in question (1); and whereas the Corporation has prayed that an Act may be passed to provide for the establishment of such a Board and to set out its powers and duties; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent

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Fort William  
Gardens  
Board.

**1.** The operation, control and management of what was described as a skating rink and community centre in *The City of Fort William Act, 1946*, and since and now known as Fort William Gardens, the grounds appertaining thereto, and the activities in connection therewith, are hereby entrusted to a board of directors which shall be a body corporate, consisting of seven members to be known as "Fort William Gardens Board", hereinafter called the "Board".

Appoint-  
ments to  
Board.

**2.**—(1) Commencing with the year 1951, the Board shall be composed of,

- (a) two members of the City council appointed annually by the council;
- (b) two resident ratepayers, other than members of the City council or any board or commission acting for or on behalf of the City, appointed by the council for a period of three calendar years;
- (c) two such resident ratepayers appointed by the council for a period of two calendar years; and
- (d) the mayor of the City as an *ex officio* member.

Appoint-  
ments  
confirmed.

(2) All appointments of members to the Board made since the 1st day of January, 1951, are hereby confirmed.

Vacancies.

**3.** Where a vacancy among the appointed members of the Board occurs from any cause, the City council shall immediately appoint a successor and such successor shall hold office during the remainder of his predecessor's term.

Quorum.

**4.** A majority of the members of the Board shall constitute a quorum.

Remunera-  
tion of  
members.

**5.** The City council may by by-law fix any salary, remuneration or emolument of the members of the Board.

Officers.

**6.** The officers of the Board shall consist of a secretary, a treasurer, a chairman and a vice-chairman, and the chairman and vice-chairman shall be members of the Board and shall be elected annually by the members of the Board.

Employees  
and servants.

**7.** Every employee and servant of the Board shall hold office during the pleasure of the Board.

Report to  
council.

**8.**—(1) The Board shall report every three months to the City council, or earlier if desired by council.

(2) The two members of council on the Board shall act as direct liaison officers between the council and the Board. Liaison between council and Board.

9. All accounts incurred by the Board shall be dealt with in the same manner as all other departments under the jurisdiction of the City council and shall be subject to audit by the auditors of the City and shall be paid monthly by the City treasurer on recommendation of the Board. Accounts of Board.

10. Profits on the operation of Fort William Gardens, after adequate provision for operating expenses and depreciation, and after taking care of all principal and interest then owing in respect of debentures in connection with Fort William Gardens, shall be paid to the treasurer of the City and placed to the credit of Fort William Gardens' account and held as a surplus available against any future losses in operation. Profits.

11. The Board shall not have the power to borrow moneys for capital expenditures but may borrow from time to time, by way of promissory notes or otherwise, such sums as it may deem necessary for current expenditures but only upon the approval of the City council expressed by resolution. Borrowing power.

12. If the operations of the Board result in a deficit as shown on the annual audit statement, the City council, upon receiving application from the Board and upon being satisfied that such funds are required by the Board, shall include such deficit in the first City budget estimates to be made after receipt of such application. Deficits.

13. The Board shall, in addition to the powers herein conferred, have the powers conferred on the City council by subsection 3 of section 4 of *The City of Fort William Act, 1946*. Powers of Board under 1946, c. 118.

14. This Act shall be deemed to have come into force on the 1st day of January, 1951. Commencement.

15. This Act may be cited as *The City of Fort William Act, 1951*. Short title.





BILL

An Act respecting the City of  
Fort William

*1st Reading*

February 13th, 1951

*2nd Reading*

March 2nd, 1951

*3rd Reading*

March 6th, 1951

MR. COX

No. 14

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of London

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MR. PATRICK

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting the City of London

**W**HEREAS the Corporation of the City of London by its Preamble. petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

### PART I

#### 1. In this Part,

Interpre-  
tation.

- (a) "Corporation" means the Corporation of the City of London;
- (b) "Commission" means The London Transportation Commission, and "commissioner" means a person holding the office of a member thereof;
- (c) "Council" means the council of the Corporation;
- (d) "Company" means The London Street Railway Company.

**2.**—(1) The Council may establish by by-law a Com-  
mission under the name of The London Transportation Commission. The Commission shall be a body corporate and shall be composed of three commissioners. The provisions for qualification and disqualification of an elected member of the council of a local municipality, as provided by *The Municipal Act*, shall apply *mutatis mutandis* to the qualification and disqualification of a person to be appointed or appointed to the office of commissioner.

Commis-  
sion.

Rev. Stat..  
c. 243.

(2) Each commissioner shall be appointed by the Council. If and when the Corporation has a Board of Control, each

Commis-  
sioners,  
appoint-  
ment;

commissioner shall be appointed from those names submitted by the Board of Control, provided that the Council may on its own motion by a two-thirds vote of the members present and voting make such appointment.

term of  
office;

(3) Appointments of commissioners shall be made to be effective on the 1st day of July in each year, and the persons first appointed shall hold office in the following manner: one commissioner to be designated by the Council shall hold office to the 30th day of June in the year following the year of his appointment; one commissioner to be designated by the Council shall hold office to the 30th day of June in the second year following the year of his appointment, and the third commissioner shall hold office until the 30th day of June in the third year following the year of his appointment, and thereafter commissioners shall be appointed for the term of three years except in the case of vacancies occurring during the term of office. A commissioner shall hold office until his successor is appointed, but whenever the office of commissioner becomes vacant during his term of office, the Council shall appoint, in the manner hereinbefore provided, some qualified person to hold office for the remainder of the term for which his immediate predecessor was appointed; provided that the Council may, prior to the making of the appointments in the manner hereinbefore provided, appoint a commissioner to hold office until the 1st day of July, 1952.

re-appoint-  
ment;

(4) A commissioner shall upon the expiration of his term of office be eligible for re-appointment; provided always that such commissioner is otherwise qualified.

remuner-  
ation; ■

(5) The remuneration of commissioners shall be such as may be provided for by by-law of the Council.

disqualifica-  
tion of  
councillors;

(6) No member of the Council shall be appointed a member of the Commission.

quorum.

(7) Two members of the Commission shall constitute a quorum for the transaction of business.

By-laws by  
Commis-  
sion.

(8) The Commission may enact by-laws for the better government and control of the Commission, its affairs, operations and undertakings.

Property of  
transporta-  
tion system.

3. Upon the appointment of the Commission, the local transportation system of the Company, if the same shall have been acquired by the Corporation, and all the real and personal property used in connection therewith, shall be under the control, operation and management of the Commission, together with all extensions and additions to such local transportation system. All personal property shall be vested

in the Commission but all real estate used for or in any way in connection with such local transportation system or which may be thereafter acquired by the Commission shall be and remain vested in the Corporation.

4. Except as otherwise provided in this Act, the Commission shall possess and may exercise all the powers, rights, authorities and privileges with respect to the operation, extension, alteration, repair, control and management of the local transportation system of the City of London and all powers now conferred or hereafter conferred upon the Corporation or the Commission with respect thereto; provided always that no powers now vested in or exercised by The London Railway Commission shall be vested in or exercised by the Commission, and provided further that the Commission shall have no power to hold real property, which powers in connection with such transportation system are expressly reserved to the Corporation. Subject to the provisions aforesaid, such powers, rights, authorities and privileges shall include full power, right, authority and privilege,

Powers of  
Commis-  
sion.

- (a) to manage, operate, establish, equip, alter, extend and maintain a bus system over the streets and public places in the City of London, and, subject to *The Highway Traffic Act* and *The Public Vehicles Act*, upon, along, across and over streets, highways and public places throughout Ontario; Rev. Stat.,  
cc. 1167, 322.
- (b) to purchase, lease, acquire and use stock, plant, equipment and property, real and personal, for the purposes aforesaid; provided such real property shall be vested in the Corporation which is hereby empowered to hold the same;
- (c) to take, transport, carry and convey passengers by means of such local transportation system, together with the right, subject to *The Highway Traffic Act* and *The Public Vehicles Act*, to take, transport, carry and convey passengers throughout Ontario whether by chartered trips or otherwise;
- (d) to appoint, employ, discharge, fix the salaries and wages of, and to pay all employees of the Commission for the purposes aforesaid, and to specify the duties of all persons so employed, and enter into agreements with such persons, classes of persons, unions and bargaining units; provided no contract of employment shall be made for any term or length of service exceeding three years, and no contract may be made which may not be terminated at any time for cause;

- (e) to agree from time to time with any chartered bank for temporary advances to meet the expense of operating and maintaining such transportation system; provided the total amount so borrowed from all sources shall not at any time exceed the sum of \$100,000, or such greater amount as may from time to time be authorized by by-law of the Council;
- (f) to enter into agreements with the Corporation for all or any of the following: the payment to it annually of such sums as may be agreed upon in lieu of payment of taxes upon the lands used in connection with the transportation system or upon the business thereof, the performance of services by the Commission to the Corporation, the maintenance or contribution to the maintenance of highways whether by fixed sums or upon a mileage basis, and the care of highways including sweeping, snow removal and sanding, which agreements the Corporation is hereby empowered to make.

**Funds.**

**5.** Whenever the Commission deems it necessary or expedient that additional moneys should be provided for the purposes of the Commission, the Commission shall prepare and forward to the Council an estimate showing the purposes and amount required by the Commission. If the Council by an affirmative vote of two-thirds of all the members thereof approve of such expenditure, the Council may pass a by-law without first obtaining the assent of the electors thereto for borrowing, and may borrow, upon the debentures of the Corporation such sum or sums of money as may be requested for such purposes. If the Council shall not deem it expedient to pass such by-law to provide for the sums required to be provided by such estimate, the Council may submit a question for a vote of the electors qualified to vote on money by-laws, which question shall be whether the moneys requested by such estimate shall be provided for the Commission. Such question may be submitted to the said electors at any time prior to the 1st day of September in any year notwithstanding any of the provisions of *The Municipal Act*, and if not then submitted, such question shall not be submitted to the said electors until the time of the regular municipal elections. If such question shall be answered in the affirmative by such electors, the Council shall within six weeks after the taking of such vote, unless such estimate be previously withdrawn, pass a by-law authorizing the issue of debentures to provide the sum mentioned in the said estimate, and shall issue the same, and it shall not be necessary that such by-law shall be put to the electors for their further assent. Any debentures now or hereafter issued for the purposes of the said system shall not be included in the Corporation's debt in estimating the limit of its borrowing powers.

Rev. Stat.,  
c. 243.

6. With the intent that the transportation system shall be entirely self-sustaining, the Commission shall so regulate and fix all tolls and fares for the carriage of passengers that a revenue shall be produced which, together with the application of an appropriate part of any fare stabilization reserve, shall be in each year sufficient to provide for the cost of operating the transportation system and works and equipment used in connection therewith including the cost of repair, maintenance and upkeep of such system and all buildings and equipment used in connection therewith, the cost of making such renewals and replacements as are properly chargeable to revenue, the cost of insurance against fire, public liability and property damage, the setting up of proper reserves and depreciation accounts, including reserves for stabilization of fare structure, sums required to pay to the Corporation the principal and interest of any outstanding debentures issued by the Corporation for the acquisition of or any of the purposes of the transportation system as amounts may be required to pay the same and all interest charges and liabilities, sums required to pay such amounts as may be agreed to be paid pursuant to clause f of section 4, sums required to pay audit charges and such remuneration of commissioners as may be provided by by-law of the Council. Failure to produce such revenue shall not impose any personal liability on any commissioner.

7. The Commission shall provide for and pay to the Corporation such amounts as may be required by the Corporation to pay and retire debentures and interest charges as hereinbefore provided as the same shall become due and shall also provide for and pay to the Corporation all other moneys provided by the Corporation for the purposes of the transportation system, including moneys expended in any way for the acquisition of such transportation system and the formalities preceding and incidental thereto, which additional amounts shall be included in the revenue to be produced from fares but may be paid over not more than two years.

8. The fiscal year of the Commission shall be the calendar year, and on or before the 1st day of March in each year the Commission shall submit to the Council a financial statement of its affairs during the preceding fiscal year, which shall include a statement of revenue and expenditure, profit and loss and a balance sheet showing the affairs of the Commission. The said statements shall at the same time be published once a week for two consecutive weeks in a daily newspaper published in the City of London. The Commission shall at the same time report to the Corporation upon its operations during the year and give a statement of property acquired and disposed of during each year and an estimate of its expenditures on capital account during the then current year.

**Investments.** **9.** The Commission may invest any surplus moneys in trustee investments but not otherwise.

**Insurance.** **10.** The Commission shall at all times insure, in the name of the Corporation, the real property used by the Commission and shall at all times insure personal property held by the Commission and shall carry public liability and indemnity insurance in connection with all phases of its operation, except only such items of liability as may be covered by *The Workmen's Compensation Act*.

**Rev. Stat.,  
c. 430.**

**Audit.** **11.** The auditor of the Corporation shall be the auditor of the Commission and the Commission shall submit all its books, documents, transactions, accounts, vouchers and papers for audit and inspection by such auditor. The said auditor shall report annually to the Council upon the operations of the Commission and from time to time as the Council may request, but shall not otherwise divulge any information with regard thereto to anyone. All monetary transactions of the Commission shall be carried on through and all moneys of the Commission shall be deposited with one or more chartered banks.

**Claims to  
be against  
Commis-  
sion.**

**12.** All claims, accounts and demands arising from or relating to the operation, management or control of the transportation system or from the exercise of any of the powers of the Commission shall be made upon and brought against the Commission and not upon or against the Corporation and the Commission may sue and be sued in its own corporate name.

**Acquisition  
of land.**

**13.** The power of the Corporation to acquire land for its purposes shall be deemed to include the power to acquire land for the purposes of the Commission.

**Winding-up  
of Company.**

**Rev. Stat.,  
c. 59.**

**14.** Notwithstanding any of the provisions of *The Companies Act* to the contrary, the Corporation may, if it shall have acquired 90 per cent or more of the issued and outstanding shares of the Company, by by-law elect that the provisions of Part XIV of *The Companies Act* shall be applicable to the Company, and upon compliance with the said provisions the corporate existence of the Company may be terminated as if it had been incorporated by letters patent.

**Redemption  
of shares.**

**15.** If the Corporation shall acquire the shares of shareholders of record of the Company whose whereabouts can be ascertained and there shall be shareholders of record whose whereabouts cannot be ascertained, the Corporation may, after notice of intention of making the payment hereinafter referred to forwarded by registered post to such shareholder at the address shown upon the stock register of the

Company and published in one issue of *The Ontario Gazette* and in three successive issues of a daily newspaper published in the City of London, pay to the Treasurer of Ontario the sum of \$62.747 per share for each share held by such shareholder, and upon such payment to the Treasurer of Ontario such shares shall be vested in the Corporation. Thereupon such shareholder, his heirs, executors, administrators and assigns, shall have no right, title, interest, claim or demand against the Corporation, the Commission, the commissioners, or the Company in respect of such shares, and such shareholder, his heirs, executors, administrators and assigns, shall have a claim only in respect of the moneys so paid to the Treasurer of Ontario. Notwithstanding the provisions of section 14, the Corporation may, upon acquiring all shares of the shareholders of record of the Company, direct the transfer of all the Company's assets, both real and personal, to the Corporation or as it may direct, and file with the Provincial Secretary proof satisfactory to the Lieutenant-Governor that the Company has no debts or liabilities, and that it has parted with all its property and assets and thereupon the Lieutenant-Governor may fix a date upon and from which the Company shall be dissolved and the Company shall be dissolved accordingly.

## PART II

**16.** The Corporation of the City of London is authorized and empowered to acquire by lease or purchase land for the purpose of the parking of motor vehicles, to put the same and other lands of the Corporation to such use, and to charge a fee for parking motor vehicles thereon. Parking lots.

**17.** Notwithstanding the provisions of *The Local Improvement Act*, the Corporation of the City of London is authorized and empowered to assume so much of the cost of the Regent-Huron-Victoria Street sewer project and Curry Street sewer project as provided and assessed by By-laws Nos. 10512 and 10728 of the council of the Corporation as shall reduce the property owners' shares to \$74,339.86 and \$6,288.60 respectively, chargeable over ten years. If that portion of the Township of London adjoining the Regent-Huron-Victoria Street sewer shall become part of the Corporation of the City of London, the said Corporation is hereby authorized and empowered to assess such lands for an equal rate per foot front and collect therefrom the sum of \$11,659.85 as a deferred benefit. The council of the said Corporation may pass by-laws to give effect to the provisions of this section which shall be valid and binding upon the lands assessed and upon the Corporation and the ratepayers thereof. Corporation's share of cost of certain sewers. Rev. Stat., c. 215.

Community  
Centre and  
Arena. 1947.  
c. 133.

**18.**—(1) The Corporation of the City of London is hereby authorized and empowered to construct the Community Centre and Arena for which funds were provided for by section 4 of *The City of London Act, 1947* and by a by-law passed following a vote of the ratepayers held on the 5th day of December, 1949, alone or in conjunction with The Western Fair Association, and such Community Centre and Arena may be known as a Memorial to the Members of the Armed Forces from the City of London who served in the Second World War.

Raising  
funds.

(2) Notwithstanding the provisions of any special or general Act, the Corporation of the City of London is authorized and empowered to postpone the raising of \$75,000 per year as provided by section 4 of *The City of London Act, 1947*, as amended, and thereafter to raise the same in such year or years as the council of the Corporation may determine, and to postpone the raising of the other funds referred to in subsection 1, and thereafter to raise the same in the yearly rate or by the issue of debentures at such time or times or in such proportions, from year to year, as the council of the Corporation may determine, and to amend the by-law referred to in subsection 1, all without a vote of the ratepayers or further approval of the Ontario Municipal Board.

Retirement  
allowances.

Rev. Stat.,  
c. 96.

**19.** The Corporation of the City of London is authorized and empowered to grant an annual retirement allowance in respect of past services, to be raised annually in the general rate and payable weekly, monthly, or otherwise, during his life to any employee or officer who was in the employment of the municipality as defined by *The Department of Municipal Affairs Act* on the 31st day of December, 1947, and who, while in the service, becomes incapable through illness or old age of efficiently discharging his duties, provided such retirement allowance in any year shall not exceed 1 per cent of the yearly wage of such employee or officer as of the 31st day of December, 1946, multiplied by the number of years of service prior to the 1st day of January, 1948. Provided that if the Corporation shall terminate any scheme commenced hereunder pensions then granted shall not be rescinded or affected except that the council of the Corporation may provide for such pensions by a lump sum payment under an agreement with His Majesty pursuant to the *Government Annuities Act* (Canada) or with an insurer licensed under *The Insurance Act*, or both.

R.S.C., 1927.  
c. 7.

Rev. Stat.,  
c. 183.

Idem.

**20.** The Corporation of the City of London shall be deemed to have and to have had power and authority to provide the retirement allowances heretofore undertaken for employees who, while in the service, became incapable through illness or old age of efficiently discharging their duties, in such sums



as have been agreed upon and to raise such sums annually in the general rate.

**21.** This Act shall come into force on the day it receives the Royal Assent. Commence-  
ment.

**22.** This Act may be cited as *The City of London Act, 1951*. Short title.

BILL  
An Act respecting the City  
of London

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. PATRICK  
*(Private Bill)*

No. 14

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of London

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MR. PATRICK

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*(Reprinted as amended by the Committee on Private Bills)*

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act respecting the City of London

**W**HEREAS the Corporation of the City of London by its Preamble.  
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Therefore, His Majesty, by and with the advice and consent  
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- (a) "Corporation" means the Corporation of the City of London;
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term of  
office;

(3) Appointments of commissioners shall be made to be effective on the 1st day of July in each year, and the persons first appointed shall hold office in the following manner: one commissioner to be designated by the Council shall hold office to the 30th day of June in the year following the year of his appointment; one commissioner to be designated by the Council shall hold office to the 30th day of June in the second year following the year of his appointment, and the third commissioner shall hold office until the 30th day of June in the third year following the year of his appointment, and thereafter commissioners shall be appointed for the term of three years except in the case of vacancies occurring during the term of office. A commissioner shall hold office until his successor is appointed, but whenever the office of commissioner becomes vacant during his term of office, the Council shall appoint, in the manner hereinbefore provided, some qualified person to hold office for the remainder of the term for which his immediate predecessor was appointed; provided that the Council may, prior to the making of the appointments in the manner hereinbefore provided, appoint a commission to hold office until the 1st day of July, 1952.

re-appoint-  
ment;

(4) A commissioner shall upon the expiration of his term of office be eligible for re-appointment; provided always that such commissioner is otherwise qualified.

remuner-  
ation;

(5) The remuneration of commissioners shall be such as may be provided for by by-law of the Council.

disqualifica-  
tion of  
councillors;

(6) No member of the Council shall be appointed a member of the Commission.

quorum.

(7) Two members of the Commission shall constitute a quorum for the transaction of business.

By-laws by  
Commis-  
sion.

(8) The Commission may enact by-laws for the better government and control of the Commission, its affairs, operations and undertakings.

Property of  
transporta-  
tion system.

**3.** Upon the appointment of the Commission, the local transportation system of the Company, if the same shall have been acquired by the Corporation, and all the real and personal property used in connection therewith, shall be under the control, operation and management of the Commission, together with all extensions and additions to such local transportation system. All personal property shall be vested

in the Commission but all real estate used for or in any way in connection with such local transportation system or which may be thereafter acquired by the Commission shall be and remain vested in the Corporation.

4. Except as otherwise provided in this Act, the Commission shall possess and may exercise all the powers, rights, authorities and privileges with respect to the operation, extension, alteration, repair, control and management of the local transportation system of the City of London and all powers now conferred or hereafter conferred upon the Corporation or the Commission with respect thereto; provided always that no powers now vested in or exercised by The London Railway Commission shall be vested in or exercised by the Commission, and provided further that the Commission shall have no power to hold real property, which powers in connection with such transportation system are expressly reserved to the Corporation. Subject to the provisions aforesaid, such powers, rights, authorities and privileges shall include full power, right, authority and privilege,

Powers of  
Commis-  
sion.

- (a) to manage, operate, establish, equip, alter, extend and maintain a bus system over the streets and public places in the City of London, and, subject to *The Highway Traffic Act* and *The Public Vehicles Act*, upon, along, across and over streets, highways and public places throughout Ontario; Rev. Stat.,  
cc. 167, 322.
- (b) to purchase, lease, acquire and use stock, plant, equipment and property, real and personal, for the purposes aforesaid; provided such real property shall be vested in the Corporation which is hereby empowered to hold the same;
- (c) to take, transport, carry and convey passengers by means of such local transportation system, together with the right, subject to *The Highway Traffic Act* and *The Public Vehicles Act*, to take, transport, carry and convey passengers throughout Ontario whether by chartered trips or otherwise;
- (d) to appoint, employ, discharge, fix the salaries and wages of, and to pay all employees of the Commission for the purposes aforesaid, and to specify the duties of all persons so employed, and enter into agreements with such persons, classes of persons, unions and bargaining units; provided no contract of employment shall be made for any term or length of service exceeding three years, and no contract may be made which may not be terminated at any time for cause;

- (e) to agree from time to time with any chartered bank for temporary advances to meet the expense of operating and maintaining such transportation system; provided the total amount so borrowed from all sources shall not at any time exceed the sum of \$100,000, or such greater amount as may from time to time be authorized by by-law of the Council;
- (f) to enter into agreements with the Corporation for all or any of the following: the payment to it annually of such sums as may be agreed upon in lieu of payment of taxes upon the lands used in connection with the transportation system or upon the business thereof, the performance of services by the Commission to the Corporation, the maintenance or contribution to the maintenance of highways whether by fixed sums or upon a mileage basis, and the care of highways including sweeping, snow removal and sanding, which agreements the Corporation is hereby empowered to make.

**Funds.**

**5.** Whenever the Commission deems it necessary or expedient that additional moneys should be provided for the purposes of the Commission, the Commission shall prepare and forward to the Council an estimate showing the purposes and amount required by the Commission. If the Council by an affirmative vote of two-thirds of all the members thereof approve of such expenditure, the Council may pass a by-law without first obtaining the assent of the electors thereto for borrowing, and may borrow, upon the debentures of the Corporation such sum or sums of money as may be requested for such purposes. If the Council shall not deem it expedient to pass such by-law to provide for the sums required to be provided by such estimate, the Council may submit a question for a vote of the electors qualified to vote on money by-laws, which question shall be whether the moneys requested by such estimate shall be provided for the Commission. Such question may be submitted to the said electors at any time prior to the 1st day of September in any year notwithstanding any of the provisions of *The Municipal Act*, and if not then submitted, such question shall not be submitted to the said electors until the time of the regular municipal elections. If such question shall be answered in the affirmative by such electors, the Council shall within six weeks after the taking of such vote, unless such estimate be previously withdrawn, pass a by-law authorizing the issue of debentures to provide the sum mentioned in the said estimate, and shall issue the same, and it shall not be necessary that such by-law shall be put to the electors for their further assent. Any debentures now or hereafter issued for the purposes of the said system shall not be included in the Corporation's debt in estimating the limit of its borrowing powers.

Rev. Stat.,  
c. 243.



6. With the intent that the transportation system shall be entirely self-sustaining, the Commission shall so regulate and fix all tolls and fares for the carriage of passengers that a revenue shall be produced which, together with the application of an appropriate part of any fare stabilization reserve, shall be in each year sufficient to provide for the cost of operating the transportation system and works and equipment used in connection therewith including the cost of repair, maintenance and upkeep of such system and all buildings and equipment used in connection therewith, the cost of making such renewals and replacements as are properly chargeable to revenue, the cost of insurance against fire, public liability and property damage, the setting up of proper reserves and depreciation accounts, including reserves for stabilization of fare structure, sums required to pay to the Corporation the principal and interest of any outstanding debentures issued by the Corporation for the acquisition of or any of the purposes of the transportation system as amounts may be required to pay the same and all interest charges and liabilities, sums required to pay such amounts as may be agreed to be paid pursuant to clause f of section 4, sums required to pay audit charges and such remuneration of commissioners as may be provided by by-law of the Council. Failure to produce such revenue shall not impose any personal liability on any commissioner.

7. The Commission shall provide for and pay to the Corporation such amounts as may be required by the Corporation to pay and retire debentures and interest charges as hereinbefore provided as the same shall become due and shall also provide for and pay to the Corporation all other moneys provided by the Corporation for the purposes of the transportation system, including moneys expended in any way for the acquisition of such transportation system and the formalities preceding and incidental thereto, which additional amounts shall be included in the revenue to be produced from fares but may be paid over not more than two years.

8. The fiscal year of the Commission shall be the calendar year, and on or before the 1st day of March in each year the Commission shall submit to the Council a financial statement of its affairs during the preceding fiscal year, which shall include a statement of revenue and expenditure, profit and loss and a balance sheet showing the affairs of the Commission. The said statements shall at the same time be published once a week for two consecutive weeks in a daily newspaper published in the City of London. The Commission shall at the same time report to the Corporation upon its operations during the year and give a statement of property acquired and disposed of during each year and an estimate of its expenditures on capital account during the then current year.

**Investments.** **9.** The Commission may invest any surplus moneys in trustee investments but not otherwise.

**Insurance.** **10.** The Commission shall at all times insure, in the name of the Corporation, the real property used by the Commission and shall at all times insure personal property held by the Commission and shall carry public liability and indemnity insurance in connection with all phases of its operation, except only such items of liability as may be covered by *The Workmen's Compensation Act*.

Rev. Stat.,  
c. 430.

**Audit.** **11.** The auditor of the Corporation shall be the auditor of the Commission and the Commission shall submit all its books, documents, transactions, accounts, vouchers and papers for audit and inspection by such auditor. The said auditor shall report annually to the Council upon the operations of the Commission and from time to time as the Council may request, but shall not otherwise divulge any information with regard thereto to anyone. All monetary transactions of the Commission shall be carried on through and all moneys of the Commission shall be deposited with one or more chartered banks.

Claims to  
be against  
Commis-  
sion.

**12.** All claims, accounts and demands arising from or relating to the operation, management or control of the transportation system or from the exercise of any of the powers of the Commission shall be made upon and brought against the Commission and not upon or against the Corporation and the Commission may sue and be sued in its own corporate name.

Acquisition  
of land.

**13.** The power of the Corporation to acquire land for its purposes shall be deemed to include the power to acquire land for the purposes of the Commission.

Winding-up  
of Company.

Rev. Stat.,  
c. 59.

**14.** Notwithstanding any of the provisions of *The Companies Act* to the contrary, the Corporation may, if it shall have acquired 90 per cent or more of the issued and outstanding shares of the Company, by by-law elect that the provisions of Part XIV of *The Companies Act* shall be applicable to the Company, and upon compliance with the said provisions the corporate existence of the Company may be terminated as if it had been incorporated by letters patent.

Redemption  
of shares.

**15.** If the Corporation shall acquire the shares of shareholders of record of the Company whose whereabouts can be ascertained and there shall be shareholders of record whose whereabouts cannot be ascertained, the Corporation may, after notice of intention of making the payment herein-after referred to forwarded by registered post to such shareholder at the address shown upon the stock register of the

Company and published in one issue of *The Ontario Gazette* and in three successive issues of a daily newspaper published in the City of London, pay to the Treasurer of Ontario the sum of \$62.747 per share for each share held by such shareholder, and upon such payment to the Treasurer of Ontario such shares shall be vested in the Corporation. Thereupon such shareholder, his heirs, executors, administrators and assigns, shall have no right, title, interest, claim or demand against the Corporation, the Commission, the commissioners, or the Company in respect of such shares, and such shareholder, his heirs, executors, administrators and assigns, shall have a claim only in respect of the moneys so paid to the Treasurer of Ontario. Notwithstanding the provisions of section 14, the Corporation may, upon acquiring all shares of the shareholders of record of the Company, direct the transfer of all the Company's assets, both real and personal, to the Corporation or as it may direct, and file with the Provincial Secretary proof satisfactory to the Lieutenant-Governor that the Company has no debts or liabilities, and that it has parted with all its property and assets and thereupon the Lieutenant-Governor may fix a date upon and from which the Company shall be dissolved and the Company shall be dissolved accordingly.

## PART II

**16.** The Corporation of the City of London is authorized and empowered to acquire by lease or purchase land for the purpose of the parking of motor vehicles, to put the same and other lands of the Corporation to such use, and to charge a fee for parking motor vehicles thereon. Parking lots.

**17.** Notwithstanding the provisions of *The Local Improvement Act*, the Corporation of the City of London is authorized and empowered to assume so much of the cost of the Regent-Huron-Victoria Street sewer project and Curry Street sewer project as provided and assessed by By-laws Nos. 10512 and 10728 of the council of the Corporation as shall reduce the property owners' shares to \$74,339.86 and \$6,288.60 respectively, chargeable over ten years. If that portion of the Township of London adjoining the Regent-Huron-Victoria Street sewer shall become part of the Corporation of the City of London, the said Corporation is hereby authorized and empowered to assess such lands for an equal rate per foot front and collect therefrom the sum of \$11,659.85 as a deferred benefit. The council of the said Corporation may pass by-laws to give effect to the provisions of this section which shall be valid and binding upon the lands assessed and upon the Corporation and the ratepayers thereof. Corporation's share of cost of certain sewers. Rev. Stat., c. 215.

Community  
Centre and  
Arena. 1947,  
c. 133.

**18.**—(1) The Corporation of the City of London is hereby authorized and empowered to construct the Community Centre and Arena for which funds were provided for by section 4 of *The City of London Act, 1947* and by a by-law passed following a vote of the ratepayers held on the 5th day of December, 1949, alone or in conjunction with The Western Fair Association, and such Community Centre and Arena may be known as a Memorial to the Members of the Armed Forces from the City of London who served in the Second World War.

Raising  
funds.

(2) Notwithstanding the provisions of any special or general Act, the Corporation of the City of London is authorized and empowered to postpone the raising of \$75,000 per year as provided by section 4 of *The City of London Act, 1947*, as amended, and thereafter to raise the same in such year or years as the council of the Corporation may determine, and to postpone the raising of the other funds referred to in subsection 1, and thereafter to raise the same in the yearly rate or by the issue of debentures at such time or times or in such proportions, from year to year, as the council of the Corporation may determine, and to amend the by-law referred to in subsection 1, all without a vote of the ratepayers or further approval of the Ontario Municipal Board.

Retirement  
allowances.

**19.** The Corporation of the City of London shall be deemed to have and to have had power and authority to provide and to continue to provide the retirement allowances heretofore undertaken for employees who, while in the service, became incapable through illness or old age of efficiently discharging their duties, in such sums as have been agreed upon and to raise such sums annually in the general rate.

Commence-  
ment.

**20.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**21.** This Act may be cited as *The City of London Act, 1951*.



BILL

An Act respecting the City  
of London

*1st Reading*

February 13th, 1951

*2nd Reading*

*3rd Reading*

MR. PATRICK

*(Reprinted as amended by the Committee  
on Private Bills)*

No. 14

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of London

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MR. PATRICK

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





No. 14

1951

# BILL

## An Act respecting the City of London

**W**HEREAS the Corporation of the City of London by its Preamble. petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

### PART I

#### 1. In this Part,

Interpre-  
tation.

- (a) "Corporation" means the Corporation of the City of London;
- (b) "Commission" means The London Transportation Commission, and "commissioner" means a person holding the office of a member thereof;
- (c) "Council" means the council of the Corporation;
- (d) "Company" means The London Street Railway Company.

**2.**—(1) The Council may establish by by-law a Com-<sup>Commis-</sup>mission under the name of The London Transportation Commission. The Commission shall be a body corporate and shall be composed of three commissioners. The provisions for qualification and disqualification of an elected member of the council of a local municipality, as provided by *The* <sup>Rev. Stat.,</sup> *Municipal Act*, shall apply *mutatis mutandis* to the qualification and disqualification of a person to be appointed or appointed to the office of commissioner. <sup>o. 243.</sup>

(2) Each commissioner shall be appointed by the Council. <sup>Commis-</sup> If and when the Corporation has a Board of Control, each <sup>sioners,</sup> <sup>appoint-</sup>ment;

commissioner shall be appointed from those names submitted by the Board of Control, provided that the Council may on its own motion by a two-thirds vote of the members present and voting make such appointment.

term of  
office;

(3) Appointments of commissioners shall be made to be effective on the 1st day of July in each year, and the persons first appointed shall hold office in the following manner: one commissioner to be designated by the Council shall hold office to the 30th day of June in the year following the year of his appointment; one commissioner to be designated by the Council shall hold office to the 30th day of June in the second year following the year of his appointment, and the third commissioner shall hold office until the 30th day of June in the third year following the year of his appointment, and thereafter commissioners shall be appointed for the term of three years except in the case of vacancies occurring during the term of office. A commissioner shall hold office until his successor is appointed, but whenever the office of commissioner becomes vacant during his term of office, the Council shall appoint, in the manner hereinbefore provided, some qualified person to hold office for the remainder of the term for which his immediate predecessor was appointed; provided that the Council may, prior to the making of the appointments in the manner hereinbefore provided, appoint a commission to hold office until the 1st day of July, 1952.

re-appoint-  
ment;

(4) A commissioner shall upon the expiration of his term of office be eligible for re-appointment; provided always that such commissioner is otherwise qualified.

remuner-  
ation;

(5) The remuneration of commissioners shall be such as may be provided for by by-law of the Council.

disqualifica-  
tion of  
councillors;

(6) No member of the Council shall be appointed a member of the Commission.

quorum.

(7) Two members of the Commission shall constitute a quorum for the transaction of business.

By-laws by  
Commis-  
sion.

(8) The Commission may enact by-laws for the better government and control of the Commission, its affairs, operations and undertakings.

Property of  
transporta-  
tion system.

3. Upon the appointment of the Commission, the local transportation system of the Company, if the same shall have been acquired by the Corporation, and all the real and personal property used in connection therewith, shall be under the control, operation and management of the Commission, together with all extensions and additions to such local transportation system. All personal property shall be vested

in the Commission but all real estate used for or in any way in connection with such local transportation system or which may be thereafter acquired by the Commission shall be and remain vested in the Corporation.

4. Except as otherwise provided in this Act, the Commission shall possess and may exercise all the powers, rights, authorities and privileges with respect to the operation, extension, alteration, repair, control and management of the local transportation system of the City of London and all powers now conferred or hereafter conferred upon the Corporation or the Commission with respect thereto; provided always that no powers now vested in or exercised by The London Railway Commission shall be vested in or exercised by the Commission, and provided further that the Commission shall have no power to hold real property, which powers in connection with such transportation system are expressly reserved to the Corporation. Subject to the provisions aforesaid, such powers, rights, authorities and privileges shall include full power, right, authority and privilege,

Powers of  
Commis-  
sion.

- (a) to manage, operate, establish, equip, alter, extend and maintain a bus system over the streets and public places in the City of London, and, subject to *The Highway Traffic Act* and *The Public Vehicles Act*, upon, along, across and over streets, highways and public places throughout Ontario; Rev. Stat.,  
cc. 1167, 1322.
- (b) to purchase, lease, acquire and use stock, plant, equipment and property, real and personal, for the purposes aforesaid; provided such real property shall be vested in the Corporation which is hereby empowered to hold the same;
- (c) to take, transport, carry and convey passengers by means of such local transportation system, together with the right, subject to *The Highway Traffic Act* and *The Public Vehicles Act*, to take, transport, carry and convey passengers throughout Ontario whether by chartered trips or otherwise;
- (d) to appoint, employ, discharge, fix the salaries and wages of, and to pay all employees of the Commission for the purposes aforesaid, and to specify the duties of all persons so employed, and enter into agreements with such persons, classes of persons, unions and bargaining units; provided no contract of employment shall be made for any term or length of service exceeding three years, and no contract may be made which may not be terminated at any time for cause;

- (e) to agree from time to time with any chartered bank for temporary advances to meet the expense of operating and maintaining such transportation system; provided the total amount so borrowed from all sources shall not at any time exceed the sum of \$100,000, or such greater amount as may from time to time be authorized by by-law of the Council;
- (f) to enter into agreements with the Corporation for all or any of the following: the payment to it annually of such sums as may be agreed upon in lieu of payment of taxes upon the lands used in connection with the transportation system or upon the business thereof, the performance of services by the Commission to the Corporation, the maintenance or contribution to the maintenance of highways whether by fixed sums or upon a mileage basis, and the care of highways including sweeping, snow removal and sanding, which agreements the Corporation is hereby empowered to make.

**Funds.**

**5.** Whenever the Commission deems it necessary or expedient that additional moneys should be provided for the purposes of the Commission, the Commission shall prepare and forward to the Council an estimate showing the purposes and amount required by the Commission. If the Council by an affirmative vote of two-thirds of all the members thereof approve of such expenditure, the Council may pass a by-law without first obtaining the assent of the electors thereto for borrowing, and may borrow, upon the debentures of the Corporation such sum or sums of money as may be requested for such purposes. If the Council shall not deem it expedient to pass such by-law to provide for the sums required to be provided by such estimate, the Council may submit a question for a vote of the electors qualified to vote on money by-laws, which question shall be whether the moneys requested by such estimate shall be provided for the Commission. Such question may be submitted to the said electors at any time prior to the 1st day of September in any year notwithstanding any of the provisions of *The Municipal Act*, and if not then submitted, such question shall not be submitted to the said electors until the time of the regular municipal elections. If such question shall be answered in the affirmative by such electors, the Council shall within six weeks after the taking of such vote, unless such estimate be previously withdrawn, pass a by-law authorizing the issue of debentures to provide the sum mentioned in the said estimate, and shall issue the same, and it shall not be necessary that such by-law shall be put to the electors for their further assent. Any debentures now or hereafter issued for the purposes of the said system shall not be included in the Corporation's debt in estimating the limit of its borrowing powers.

Rev. Stat.,  
c. 243.

6. With the intent that the transportation system shall be entirely self-sustaining, the Commission shall so regulate and fix all tolls and fares for the carriage of passengers that a revenue shall be produced which, together with the application of an appropriate part of any fare stabilization reserve, shall be in each year sufficient to provide for the cost of operating the transportation system and works and equipment used in connection therewith including the cost of repair, maintenance and upkeep of such system and all buildings and equipment used in connection therewith, the cost of making such renewals and replacements as are properly chargeable to revenue, the cost of insurance against fire, public liability and property damage, the setting up of proper reserves and depreciation accounts, including reserves for stabilization of fare structure, sums required to pay to the Corporation the principal and interest of any outstanding debentures issued by the Corporation for the acquisition of or any of the purposes of the transportation system as amounts may be required to pay the same and all interest charges and liabilities, sums required to pay such amounts as may be agreed to be paid pursuant to clause f of section 4, sums required to pay audit charges and such remuneration of commissioners as may be provided by by-law of the Council. Failure to produce such revenue shall not impose any personal liability on any commissioner.

7. The Commission shall provide for and pay to the Corporation such amounts as may be required by the Corporation to pay and retire debentures and interest charges as hereinbefore provided as the same shall become due and shall also provide for and pay to the Corporation all other moneys provided by the Corporation for the purposes of the transportation system, including moneys expended in any way for the acquisition of such transportation system and the formalities preceding and incidental thereto, which additional amounts shall be included in the revenue to be produced from fares but may be paid over not more than two years.

8. The fiscal year of the Commission shall be the calendar year, and on or before the 1st day of March in each year the Commission shall submit to the Council a financial statement of its affairs during the preceding fiscal year, which shall include a statement of revenue and expenditure, profit and loss and a balance sheet showing the affairs of the Commission. The said statements shall at the same time be published once a week for two consecutive weeks in a daily newspaper published in the City of London. The Commission shall at the same time report to the Corporation upon its operations during the year and give a statement of property acquired and disposed of during each year and an estimate of its expenditures on capital account during the then current year.

**Investments.** **9.** The Commission may invest any surplus moneys in trustee investments but not otherwise.

**Insurance.** **10.** The Commission shall at all times insure, in the name of the Corporation, the real property used by the Commission and shall at all times insure personal property held by the Commission and shall carry public liability and indemnity insurance in connection with all phases of its operation, except only such items of liability as may be covered by *The Workmen's Compensation Act*.  
**Rev. Stat., c. 430.**

**Audit.** **11.** The auditor of the Corporation shall be the auditor of the Commission and the Commission shall submit all its books, documents, transactions, accounts, vouchers and papers for audit and inspection by such auditor. The said auditor shall report annually to the Council upon the operations of the Commission and from time to time as the Council may request, but shall not otherwise divulge any information with regard thereto to anyone. All monetary transactions of the Commission shall be carried on through and all moneys of the Commission shall be deposited with one or more chartered banks.

**Claims to be against Commission.** **12.** All claims, accounts and demands arising from or relating to the operation, management or control of the transportation system or from the exercise of any of the powers of the Commission shall be made upon and brought against the Commission and not upon or against the Corporation and the Commission may sue and be sued in its own corporate name.

**Acquisition of land.** **13.** The power of the Corporation to acquire land for its purposes shall be deemed to include the power to acquire land for the purposes of the Commission.

**Winding-up of Company.** **14.** Notwithstanding any of the provisions of *The Companies Act* to the contrary, the Corporation may, if it shall have acquired 90 per cent or more of the issued and outstanding shares of the Company, by by-law elect that the provisions of Part XIV of *The Companies Act* shall be applicable to the Company, and upon compliance with the said provisions the corporate existence of the Company may be terminated as if it had been incorporated by letters patent.  
**Rev. Stat., c. 59.**

**Redemption of shares.** **15.** If the Corporation shall acquire the shares of shareholders of record of the Company whose whereabouts can be ascertained and there shall be shareholders of record whose whereabouts cannot be ascertained, the Corporation may, after notice of intention of making the payment hereinafter referred to forwarded by registered post to such shareholder at the address shown upon the stock register of the

Company and published in one issue of *The Ontario Gazette* and in three successive issues of a daily newspaper published in the City of London, pay to the Treasurer of Ontario the sum of \$62.747 per share for each share held by such shareholder, and upon such payment to the Treasurer of Ontario such shares shall be vested in the Corporation. Thereupon such shareholder, his heirs, executors, administrators and assigns, shall have no right, title, interest, claim or demand against the Corporation, the Commission, the commissioners, or the Company in respect of such shares, and such shareholder, his heirs, executors, administrators and assigns, shall have a claim only in respect of the moneys so paid to the Treasurer of Ontario. Notwithstanding the provisions of section 14, the Corporation may, upon acquiring all shares of the shareholders of record of the Company, direct the transfer of all the Company's assets, both real and personal, to the Corporation or as it may direct, and file with the Provincial Secretary proof satisfactory to the Lieutenant-Governor that the Company has no debts or liabilities, and that it has parted with all its property and assets and thereupon the Lieutenant-Governor may fix a date upon and from which the Company shall be dissolved and the Company shall be dissolved accordingly.

## PART II

**16.** The Corporation of the City of London is authorized <sup>Parking lots.</sup> and empowered to acquire by lease or purchase land for the purpose of the parking of motor vehicles, to put the same and other lands of the Corporation to such use, and to charge a fee for parking motor vehicles thereon.

**17.** Notwithstanding the provisions of *The Local Improvement Act*, the Corporation of the City of London is <sup>Corporation's share of cost of certain sewers.</sup> authorized and empowered to assume so much of the cost of the Regent-Huron-Victoria Street sewer project and Curry <sup>Rev. Stat., c. 215.</sup> Street sewer project as provided and assessed by By-laws Nos. 10512 and 10728 of the council of the Corporation as shall reduce the property owners' shares to \$74,339.86 and \$6,288.60 respectively, chargeable over ten years. If that portion of the Township of London adjoining the Regent-Huron-Victoria Street sewer shall become part of the Corporation of the City of London, the said Corporation is hereby authorized and empowered to assess such lands for an equal rate per foot front and collect therefrom the sum of \$11,659.85 as a deferred benefit. The council of the said Corporation may pass by-laws to give effect to the provisions of this section which shall be valid and binding upon the lands assessed and upon the Corporation and the ratepayers thereof.

Community  
Centre and  
Arena. 1947,  
c. 133.

**18.**—(1) The Corporation of the City of London is hereby authorized and empowered to construct the Community Centre and Arena for which funds were provided for by section 4 of *The City of London Act, 1947* and by a by-law passed following a vote of the ratepayers held on the 5th day of December, 1949, alone or in conjunction with The Western Fair Association, and such Community Centre and Arena may be known as a Memorial to the Members of the Armed Forces from the City of London who served in the Second World War.

Raising  
funds.

(2) Notwithstanding the provisions of any special or general Act, the Corporation of the City of London is authorized and empowered to postpone the raising of \$75,000 per year as provided by section 4 of *The City of London Act, 1947*, as amended, and thereafter to raise the same in such year or years as the council of the Corporation may determine, and to postpone the raising of the other funds referred to in subsection 1, and thereafter to raise the same in the yearly rate or by the issue of debentures at such time or times or in such proportions, from year to year, as the council of the Corporation may determine, and to amend the by-law referred to in subsection 1, all without a vote of the ratepayers or further approval of the Ontario Municipal Board.

Retirement  
allowances.

**19.** The Corporation of the City of London shall be deemed to have and to have had power and authority to provide and to continue to provide the retirement allowances heretofore undertaken for employees who, while in the service, became incapable through illness or old age of efficiently discharging their duties, in such sums as have been agreed upon and to raise such sums annually in the general rate.

Commence-  
ment.

**20.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**21.** This Act may be cited as *The City of London Act, 1951*.





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BILL

An Act respecting the City  
of London

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*1st Reading*

February 13th, 1951

*2nd Reading*

March 2nd, 1951

*3rd Reading*

March 6th, 1951

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MR. PATRICK

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No. 15

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting The Young Men's Christian Association of  
Greater Niagara

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MR. HOUCK

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act respecting The Young Men's Christian Association of Greater Niagara

**W**HEREAS the persons named in section 1 have prayed Preamble.  
that an Act be passed to incorporate The Young Men's Christian Association of Greater Niagara as a body corporate and politic for the purposes and with the powers hereinafter provided; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** A. S. Hodge, E. M. McMurray, E. L. Harding, M. H. Incorporation.  
Freeman, W. F. Currey, G. A. Fraser, E. M. Frantz, B. F. Williams, M. I. McBride, J. A. Wilson, A. G. Peckham, S. W. Bird, Rev. Dr. W. Fingland, Rev. Dr. S. B. Stokes, Dr. R. F. Eager, Dr. J. Ogilvie, W. J. Gebhart, E. R. Blew, F. A. Branscombe, H. W. Stewart, J. McVicker, V. Mollison, R. L. Connell, and such other persons as are now members of The Young Men's Christian Association of Greater Niagara or hereafter become members of the body corporate hereby created are hereby constituted a body corporate and politic under the name of "The Young Men's Christian Association of Greater Niagara", hereinafter called the "association".

**2.** All real and personal property belonging to or held in trust for the association shall henceforth be vested in the Vesting of property.  
association to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the association.

**3.** All property vested by this Act in the association shall remain liable for the payment or satisfaction of any debts Property liable for existing debts.  
or any obligations heretofore contracted or incurred in respect thereto, to the same extent as it would have been liable therefor had this Act not been passed.

Power to  
acquire  
and dispose  
of real  
estate.

**4.** The association may acquire and hold in the City of Niagara Falls, Township of Stamford, Village of Chippawa and the vicinity thereof, any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and may sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; provided that no land at any time acquired by the association and not required for its actual use and purposes, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it ceases to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Constitution  
and by-laws.

**5.** The constitution and by-laws of the association, being the constitution and by-laws adopted by the association prior to its incorporation, and under which the association has since been conducted, are and shall continue to be the constitution and by-laws of the association, but they, or any of them, may be added to, amended or repealed, and others substituted therefor in the manner and subject to the conditions and provisions therein stated.

Members.

**6.** The members of the association shall continue to be members thereof and the officers of the association shall continue to hold office in the manner provided by and subject to the constitution and by-laws of the association.

Directors.

**7.** The association may by by-law provide for the number of directors and as to their qualifications, mode of election and the time for which they shall hold office and may by by-law from time to time increase or decrease such number.

Objects of  
association.

**8.** The objects of the association shall be the spiritual, mental, social, educational and physical welfare and improvement of young men and boys by the erection, operation, maintenance and support of meetings, lectures, reading and recreation rooms, libraries, gymnasia, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms, and such other means as may from time to time be determined upon, and to establish, maintain and operate branch associations in the City of Niagara Falls, Township of Stamford, Village of Chippawa and the vicinity thereof, and the association may make all or part of its facilities and equipment available for use of such community organizations as may have as their object the general good of the citizens of the said municipalities upon such terms and conditions as may be determined by the association.

**9.** The buildings, lands, equipment and undertaking of the association so long as they are occupied by, used and carried on for the purposes of the association, shall be exempt from taxation except for local improvements. Exemption from taxation.

**10.** The association may borrow money for its purposes upon its credit and may mortgage, hypothecate or pledge any of its real and personal property as security for any loan. Borrowing powers.

**11.** The association may establish an endowment fund for the purpose of promoting and extending its aims and objects and in furtherance of such purpose may obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors. Endowment fund.

**12.** The association may lend money upon the security of real estate and may invest and reinvest any of its funds and moneys in any debentures of municipal or public school districts or corporations, Dominion or provincial debentures, bonds, stocks, or in Dominion or provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises. Power to lend money and invest its funds.

**13.** The association may establish, aid or support such courses of technical, vocational or trades education as the board of directors of the association from time to time determine. Educational courses.

**14.** This Act shall come into force on the day it receives the Royal Assent. Commencement.

**15.** This Act may be cited as *The Young Men's Christian Association of Greater Niagara Act, 1951*. Short title.







BILL

An Act respecting The Young Men's  
Christian Association of  
Greater Niagara

*1st Reading*

*2nd Reading*

*3rd Reading*

Mr. HOUCK

(*Private Bill*)

No. 15

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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## **BILL**

**An Act respecting The Young Men's Christian Association of  
Greater Niagara**

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MR. HOUCK

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act respecting The Young Men's Christian Association of Greater Niagara

**W**HEREAS the persons named in section 1 have prayed Preamble.  
that an Act be passed to incorporate The Young Men's Christian Association of Greater Niagara as a body corporate and politic for the purposes and with the powers hereinafter provided; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** A. S. Hodge, E. M. McMurray, E. L. Harding, M. H. Freeman, W. F. Currey, G. A. Fraser, E. M. Frantz, B. F. Williams, M. I. McBride, J. A. Wilson, A. G. Peckham, S. W. Bird, Rev. Dr. W. Fingland, Rev. Dr. S. B. Stokes, Dr. R. F. Eager, Dr. J. Ogilvie, W. J. Gebhart, E. R. Blew, F. A. Branscombe, H. W. Stewart, J. McVicker, V. Mollison, R. L. Connell, and such other persons as are now members of The Young Men's Christian Association of Greater Niagara or hereafter become members of the body corporate hereby created are hereby constituted a body corporate and politic under the name of "The Young Men's Christian Association of Greater Niagara", hereinafter called the "association". Incorporation.

**2.** All real and personal property belonging to or held in trust for the association shall henceforth be vested in the association to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the association. Vesting of property.

**3.** All property vested by this Act in the association shall remain liable for the payment or satisfaction of any debts or any obligations heretofore contracted or incurred in respect thereto, to the same extent as it would have been liable therefor had this Act not been passed. Property liable for existing debts.

Power to  
acquire  
and dispose  
of real  
estate.

4. The association may acquire and hold in the City of Niagara Falls, Township of Stamford, Village of Chippawa and the vicinity thereof, any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and may sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; provided that no land at any time acquired by the association and not required for its actual use and purposes, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it ceases to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Constitution  
and by-laws.

5. The constitution and by-laws of the association, being the constitution and by-laws adopted by the association prior to its incorporation, and under which the association has since been conducted, are and shall continue to be the constitution and by-laws of the association, but they, or any of them, may be added to, amended or repealed, and others substituted therefor in the manner and subject to the conditions and provisions therein stated.

Members.

6. The members of the association shall continue to be members thereof and the officers of the association shall continue to hold office in the manner provided by and subject to the constitution and by-laws of the association.

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7. The association may by by-law provide for the number of directors and as to their qualifications, mode of election and the time for which they shall hold office and may by by-law from time to time increase or decrease such number.

Objects of  
association.

8. The objects of the association shall be the spiritual, mental, social, educational and physical welfare and improvement of young men and boys by the erection, operation, maintenance and support of meetings, lectures, reading and recreation rooms, libraries, gymnasias, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms, and such other means as may from time to time be determined upon, and to establish, maintain and operate branch associations in the City of Niagara Falls, Township of Stamford, Village of Chippawa and the vicinity thereof, and the association may make all or part of its facilities and equipment available for use of such community organizations as may have as their object the general good of the citizens of the said municipalities upon such terms and conditions as may be determined by the association.

**9.** The buildings, lands, equipment and undertaking of the association so long as they are occupied by, used and carried on for the purposes of the association, shall be exempt from taxation except for local improvements. Exemption from taxation.

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**12.** The association may lend money upon the security of real estate and may invest and reinvest any of its funds and moneys in any debentures of municipal or public school districts or corporations, Dominion or provincial debentures, bonds, stocks, or in Dominion or provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises. Power to lend money and invest its funds.

**13.** The association may establish, aid or support such courses of technical, vocational or trades education as the board of directors of the association from time to time determine. Educational courses.

**14.** This Act shall come into force on the day it receives the Royal Assent. Commencement.

**15.** This Act may be cited as *The Young Men's Christian Association of Greater Niagara Act, 1951.* Short title.







**BILL**

An Act respecting The Young Men's  
Christian Association of  
Greater Niagara

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

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MR. HOUCK

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No. 16

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act respecting the Jewish Community Centre of Toronto**

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MR. BLACKWELL

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act respecting the Jewish Community Centre of Toronto

**W**HEREAS the Jewish Community Centre of Toronto, Preamble.  
 a corporation incorporated under *The Companies Act*, Rev. Stat., c. 59.  
 by its petition has represented that it is composed of the  
 Young Men's and Young Women's Hebrew Association and  
 has prayed that an Act be passed to provide that its buildings,  
 lands, equipment and undertaking be exempt from taxation,  
 except for local improvements; and whereas it is expedient to  
 grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:

1. The buildings, lands, equipment and undertaking of the Tax exemption.  
 Jewish Community Centre of Toronto so long as they are  
 occupied by, used and carried on for the purposes of the  
 Centre, shall be exempt from taxation except for local im-  
 provements.

2. This Act may be cited as *The Jewish Community Centre* Short title.  
*of Toronto Act, 1951.*

BILL

An Act respecting the Jewish Community  
Centre of Toronto

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. BLACKWELL

*(Private Bill)*

No. 16

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act respecting the Jewish Community Centre of Toronto**

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MR. BLACKWELL

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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# BILL

## An Act respecting the Jewish Community Centre of Toronto

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by its petition has represented that it is composed of the c. 59.  
Young Men's and Young Women's Hebrew Association and  
has prayed that an Act be passed to provide that its buildings,  
lands, equipment and undertaking be exempt from taxation,  
except for local improvements; and whereas it is expedient to  
grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. The buildings, lands, equipment and undertaking of the Jewish Community Centre of Toronto so long as they are occupied by, used and carried on for the purposes of the Centre, shall be exempt from taxation except for local improvements. <sup>Tax exemption.</sup>

2. This Act may be cited as *The Jewish Community Centre of Toronto Act, 1951*. <sup>Short title.</sup>

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BILL

An Act respecting the Jewish Community  
Centre of Toronto

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*1st Reading*

February 13th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

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MR. BLACKWELL

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No. 17

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to incorporate The Hamilton Foundation

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MR. EASTON

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act to incorporate The Hamilton Foundation

**W**HEREAS the persons named in section 1 have prayed Preamble.  
that an Act be passed to incorporate The Hamilton Foundation as a charitable body corporate and politic without share capital for the purpose and with the powers hereinafter provided; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Frank C. O'Brien, Norman W. Byrne, John G. Langs, Incorporation of The Hamilton Foundation.  
Harold F. Lazier, David Strachan, and such other persons as may become members of the body corporate hereby created, are hereby constituted a body corporate and politic without share capital under the name of "The Hamilton Foundation", hereinafter called the Foundation.

**2.** The head office of the Foundation shall be at the Head office.  
City of Hamilton in the County of Wentworth in the Province of Ontario.

**3.** The provisional directors of the Foundation shall be Provisional directors; first meeting.  
the said Frank C. O'Brien, Norman W. Byrne, John G. Langs, Harold F. Lazier and David Strachan, who shall hold office until the organization of the Foundation is effected at a general meeting of the Foundation, which meeting shall be also the first annual general meeting of the Foundation and shall be held not later than the 1st day of June, 1951.

**4.** The officers of the provisional board of directors of the Officers.  
Foundation shall be Frank C. O'Brien, Chairman, and Gerald S. Chandler, Secretary, and they shall retain their respective offices until others are elected in their places under the constitution and by-laws of the Foundation.

Constitution  
and by-laws.

5. It shall be the duty of the provisional directors to adopt a provisional constitution and by-laws of the Foundation and submit them to the said first annual general meeting of the members of the Foundation for their consideration and confirmation, and the provisional constitution and by-laws when so confirmed or as they may be varied and amended at the said meeting shall be the constitution and by-laws of the Foundation subject to any addition to, amendment or variation of or substitution for the same as may afterwards be made as provided for therein.

Board of  
directors.

6. At the said first annual general meeting the board of directors of the Foundation shall be established as provided for in the provisional constitution and by-laws, and the board of directors so constituted shall hold office in accordance with the constitution and by-laws as finally confirmed and adopted at such meeting; provided always that the board of directors of the Foundation shall always be sustained in number at not less than twelve members, of which the mayor of the City of Hamilton, the senior county court judge presiding in the City of Hamilton, the president of The Hamilton Community Chest, and the president of The Council of Social Agencies of Hamilton will be members of the board of directors *ex officio*.

Copies of  
constitution  
and by-laws.

7. The provisional directors shall furnish each member of the Foundation with a copy of the provisional constitution and by-laws at least fourteen days prior to the date upon which the first annual general meeting is to be held and shall at the same time give notice of such meeting to the members.

Powers and  
objects.

8.—(1) The powers and objects of the Foundation shall be,

- (a) to institute, create, receive, administer, maintain, direct, operate and otherwise further the objectives of a fund or funds, trust or trusts, endowment or endowments, including any memorial fund, or other form of assets or holdings of any nature, save as herein expressly excepted, and to apply all or any part thereof, the income or gain or benefits thereof or therefrom for the institution, support, assistance and furtherance of eleemosynary, sociological, educational or kindred objectives or activities within the City of Hamilton in the Province of Ontario or the immediate environs thereof, or other specific objectives directed, reserved, instructed, or imposed with respect to any specific gift or property vested in the fund or the Foundation or forming part of the assets or affairs under administration by the Foundation, as the same may be from time to time; and

- (b) to do all such things as are incidental or conducive to the attainment of the above objects.

(2) Without limiting the generality of the objects and <sup>Idem.</sup> powers mentioned in subsection 1, for the further attainment of such objects the Foundation shall have power:

- (a) To use, apply, give, devote, accumulate or distribute from time to time all or part of the funds or assets under administration by the Foundation and the income, profits, gains or other benefits thereto accruing for furthering the objects of the Foundation.
- (b) To carry on activities of publicity, research, education for the furtherance of the objects of the Foundation and to promote, establish, carry on, support, encourage and further, agencies or institutions deemed by the Foundation as being of such nature as to further the objects of the Foundation.
- (c) To acquire, accept, solicit or receive, by purchase, lease, contract, donation, legacy, gift, grant, bequest or otherwise, any kind of real or personal property wheresoever situate, absolutely or in trust, and to enter into and carry out agreements, contracts and undertakings incidental thereto.
- (d) To hold, control, manage, sell or convert any of the real or personal property from time to time owned by the Foundation and to invest and re-invest any principal in such investments as the directors in their absolute discretion may deem advisable, without being limited to investments authorized by law for the investment of trust funds, and to retain any real or personal property in the form in which it may be when received by the Foundation as permanent investments or for such length of time as may be deemed best, and to participate by nomination of directors, representatives, agents and otherwise in the management and direction of corporations, enterprises and activities, the ownership or participation of ownership whereof is vested in the Foundation through ownership or trusteeship of shares, interests, participations, securities of any kind or otherwise and in like manner to participate or assume the direction of any activity for the furtherance of the objects of the Foundation to which the Foundation makes any contribution or gift.
- (e) To exercise all voting rights and to authorize and direct the execution and delivery of proxies in connection with any shares or obligations owned by the Foundation in any company or corporation.

- (f) In connection with any company or corporation in which the Foundation may at any time hold shares or obligations, to take up the proportion of any increased capital to which as holders of such shares or obligations it may be entitled and also to purchase any additional shares or obligations in such company or corporation; to join in any plan for the reconstruction or reorganization of such company or corporation or for the amalgamation of such company or corporation or for the sale of the assets of such company or corporation or any part thereof and, in pursuance of such plan, to accept any shares or obligations in lieu of or in exchange for the shares or obligations held by the Foundation in such company or corporation; and to enter into any pooling or other agreement in connection with the shares or obligations held by the Foundation in such company or corporation and, in case of sale thereof, to give any options considered advisable; and to give consent to the creation of any mortgage, lien, or indebtedness by any company or corporation whose shares or obligations are held by the Foundation; and to retain as an investment for such length of time as may be considered advisable any shares or obligations acquired by the Foundation through the exercise of the powers hereinbefore given the Foundation and to retain as an investment for such length of time as may be considered advisable any stock dividends received by the Foundation in connection with any shares of stock owned by the Foundation.
- (g) To draw, make, accept, endorse, execute and issue cheques, promissory notes, bills of exchange, and other negotiable or transferable instruments.
- (h) To acquire by purchase, lease, devise, gift and other holding title, any real property necessary or convenient for the carrying on of its undertaking and for the purpose of drawing a revenue therefrom, and to sell, lease, pledge, mortgage, dispose of and convey the same or any part thereof as may be considered advisable.
- (i) To demand, receive, sue for, recover and compel the payment of all sums of money that may become due and payable to the Foundation, and to apply the said sums for the objects and purposes of the Foundation, and generally to sue and be sued.
- (j) To acquire, accept, solicit or receive any gift of real or personal property either as an annual or



other contribution or as an addition to the fund or funds of the Foundation.

- (k) To employ and pay such assistants, clerks, agents, representatives and employees, and to procure, equip and maintain such offices and other facilities, and to incur such reasonable expenses, as may be necessary.
- (l) The directors shall serve without compensation, and no director shall, directly or indirectly, receive any profit from his position as such but reasonable expenses incurred by any director in the performance of his duty may be paid.
- (m) When not contrary to the expressed wish of any donee or the instructions or express conditions or provisions of any gift or trust thereby affected, to pass on and entrust to one or more trust companies the custody and management of all or any portion of the property at any time or from time to time received or held by the Foundation, in such manner and in such portions as the board may deem proper, and to enter into agreements with such companies with regard thereto. The decision and direction as to whether to act under this power shall be vested in and be acted upon by direction of the board of directors of the Foundation; and upon any occasion when authority has been given by the board of directors to entrust the custody and management of property to a trust company the direction shall be made as soon as practicable after a donation has been received and become operative, and shall appoint one or more trust companies to have the custody and management of the property included in the donation, or such portion or portions thereof as may be allotted to each of such companies by the board, and to act as trustee or trustees thereof for the Foundation. In making original appointments of such trustees, effect shall be given to any directions in writing given by the donor and expressed in the instrument creating the trust. The Foundation may at any time on a resolution passed by a majority of the board of directors of the Foundation, revoke the appointment of any trust company or trust companies as such trustee or trustees, and appoint another trust company or trust companies as new trustee or trustees. The trust companies hereinbefore referred to shall be such as at the time of their appointment as trustees are authorized to act as executors and administrators in Ontario.

- (n) To carry on legal proceedings in any court of any jurisdiction for the protection of and the acquisition and vesting in the Foundation of gifts, trusts and other assets as in this Act may be authorized or indicated as being within the proper field of activity or operation of the Foundation.

Provided, however, that except as may be necessary or convenient to effect the terms of any devise or gift to or trust vested in the Foundation in pursuance of or coming within the scope of its powers or objects, the Foundation shall not assume or transact business within the meaning of *The Loan and Trust Corporations Act*.

Rev. Stat.,  
c. 214.

Application  
for order  
transferring  
charitable  
trust prop-  
erty to  
Foundation.

**9.** Where any person may hold any property in trust for any charitable purpose or for the benefit of any institution or class or group of persons, or for any purpose of a nature similar to the objects for which the income of the Foundation may be used under the provisions hereof, and by reason of the object of the trust having ceased to exist or the trust for any cause having become incapable of performance the trust cannot be further administered, such person as trustee as aforesaid may upon notice to the Foundation apply to the Supreme Court or a judge thereof for an order directing him to hand such property over to the Foundation to be used for such charitable purpose or purposes as the Court may stipulate by such order, or otherwise to be used by the Foundation in the same manner and for the same purposes as other donations which may be made to the Foundation under the provisions hereof; and the said Court or a judge thereof is hereby empowered to make such order for the handing over of such property to the Foundation as may then appear proper and any trustee complying with such an order shall thereupon be relieved and discharged of all further responsibility in respect of the property so handed over pursuant to any such order.

Application  
for order  
clarifying  
trust.

**10.** Whenever a fund, gift or other moneys have come into the ownership or control of the Foundation under terms express or implied that some certain or uncertain person, agency, body, or legal entity is entitled to receive any benefit under any trust or direction and the designation or identity of such beneficiary is vague or uncertain or void for any reason, including, but without limiting the generality of the foregoing, that the beneficiary is no longer in existence, the Foundation may apply to the Supreme Court or a judge thereof for an order clarifying the status or identity of any beneficiary and designating such beneficiary as may be deemed by the Court to implement the intention of the gift and application of the funds to the same ends to the optimum degree, or for an order of the Court striking out the name or

designation of any such non-existent or no longer existent beneficiary, or an order striking out that part of the words of gift that cause any gift to be deemed void, directing that the corpus of the gift or fund and the income of same, or both, shall be vested in the Foundation without limitation or direction as to application of said capital or income, and the said Court or a judge thereof is hereby empowered to make such an order.

**11.** All transfers, assignments or conveyances of property by the Foundation shall be executed by and on behalf of the Foundation in such manner as the Foundation may from time to time by by-law prescribe, and shall further be executed by the trustee for the time being of the property to be so transferred, assigned or conveyed. Execution of documents.

**12.** Each trust company during its continuance in office as trustee for the Foundation shall, Powers and duties of trust companies.

- (a) have the custody of and manage and deal with in an efficient manner all property entrusted to it by the Foundation, and make all investments, re-investments, conversions, sales or dispositions thereof which may at any time or from time to time appear necessary or desirable, but no trust company shall make any new investments or re-investments in any property or security other than securities in which a trustee or trust company may invest trust moneys under the laws of Ontario;
- (b) observe, carry out, perform and give effect to all terms, provisions and conditions which may in any instance be attached to the donation of any property by the donor thereof and expressed in the instrument creating the trust as appearing in said instrument or as clarified or modified by order of the Court under the provisions of sections 9 and 10;
- (c) give effect to and observe all directions with regard to any property entrusted to it by the Foundation under the provisions of this Act, which may at any time or from time to time be given in writing by the board of directors of the Foundation, if such directions do not in any instance contravene or are not inconsistent with any of the terms, provisions or conditions referred to in clause *b* or any of the provisions of this Act;
- (d) distribute from the moneys in its possession such sums and in such manner as the board of directors of the Foundation at any time or from time to time by resolution direct;

- (e) pay all such accounts and expenses of the Foundation as the board of directors shall direct in writing;
- (f) prepare and submit to the directors of the Foundation whenever required by the directors and in any event at least once in each calendar year a detailed report of the activities of the trust company with respect to its duties being performed for the Foundation, together with data showing the whole cost of so administering gifts through the facilities of the trust company.

Foundation  
deemed  
charitable  
organization.

**13.** Whenever acting within the powers and objects herein set out, the Foundation shall be conclusively deemed a charitable organization operating without profit.

Application  
of rule  
against  
perpetuities,  
etc.

**14.** The rules and regulations by statute or law against perpetuities or continuing trusts or estates shall not apply to donations to, trusts vested in or for the benefit of, or donations to, or acquisitions by the Foundation when of the character indicated by this Act.

Tax  
exemption.  
Rev. Stat.,  
c. 24.

**15.** Notwithstanding the provisions of *The Assessment Act*, such land and buildings as may from time to time be owned and occupied by the Foundation shall not be subject to municipal taxes, including school rates.

Commence-  
ment.

**16.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**17.** This Act may be cited as *The Hamilton Foundation Act, 1951*.



BILL

An Act to incorporate  
The Hamilton Foundation

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. EASTON

*(Private Bill)*

No. 18

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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## BILL

**An Act respecting the Incorporated Synod of the Diocese of Ontario  
and St. Thomas Church, Belleville**

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MR. SANDERCOCK

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting the Incorporated Synod of the Diocese of Ontario and St. Thomas Church, Belleville

**W**HEREAS the Incorporated Synod of the Diocese of <sup>Preamble.</sup> Ontario and the Rector of St. Thomas Church in the City of Belleville by their petition have represented that on the 20th day of May, 1830, His late Majesty King George IV did grant certain lands in the City of Belleville to the Rector and Church Wardens of the Church of England in the Town of Belleville; that after the determination of the estate thereby limited to the said Rector and Church Wardens, the said lands were to be held by His late Majesty King George IV and his successors to and for the use, benefit and advantage of the Minister of the Church at Belleville, resident and doing duty there for the time being according to the rights and ceremonies of the Church of England as more particularly set forth in the grant to the Reverend Thomas Campbell, *et al*, recorded the 1st day of June, 1830, Lib. E, Fol. 99, 100, 101, 102 and entered and registered in the registry office for the County of Hastings in Book V for the City of Belleville on the 4th day of January, 1884, as number 7523; that it is desirable to sell a portion of the said lands; that the said Synod, with the consent of the said Rector, has agreed to sell the said portion to The Bell Telephone Company of Canada for the sum of \$10,200; whereas doubts have arisen as to the right of the said Synod and the said Rector to convey the said portion; whereas the petitioners have prayed for special legislation to authorize the said sale; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Incorporated Synod of the Diocese of Ontario, <sup>Power to sell certain lands.</sup> with the consent of the Rector of St. Thomas Church, Belleville, shall have full power and authority to sell and convey to The Bell Telephone Company of Canada for the sum of

\$10,200 all that certain parcel or tract of land and premises situate, lying and being in the City of Belleville, in the County of Hastings and Province of Ontario and being composed of part of Lot 22 on the east side of Church Street according to Henry Carre's registered plan of the City of Belleville, said parcel or tract of land being more particularly described as follows:

COMMENCING at an iron bar planted in the easterly limit of Church Street distant southerly in said limit, 166 feet from the southerly limit of Bridge Street in said City; thence easterly parallel with the southerly limit of Bridge Street, 124 feet, 6 inches; thence southerly parallel with the said easterly limit of Church Street, 37 feet; thence westerly parallel with the said southerly limit of Bridge Street, 124 feet, 6 inches to an iron bar in the said easterly limit of Church Street, distant southerly 37 feet from the place of beginning; thence northerly in said easterly limit 37 feet more or less to the place of beginning.

When lands  
to vest.

**2.** Upon payment of the said purchase money and delivery of the deed of conveyance with respect to the sale and purchase mentioned in section 1, the said lands shall vest in The Bell Telephone Company of Canada, in fee simple and free and discharged of any and all trusts in respect of the same.

Application  
of purchase  
money.

**3.—(1)** The Bell Telephone Company of Canada shall not be obliged to see to the application of any of the purchase money for the lands described in section 1.

Idem.

(2) The said purchase money shall be paid to the Incorporated Synod of the Diocese of Ontario to be held in trust and invested until such time as it is required for the purchase or erection of a parsonage.

Idem.

(3) The interest accruing from the investment of the said purchase money shall be paid to the Rector and Wardens of St. Thomas Church, Belleville, and used to provide a residence for the said Rector.

The Crown.

**4.** This Act shall bind His Majesty.

Commence-  
ment.

**5.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**6.** This Act may be cited as *The St. Thomas Church, Belleville, Act, 1951*.







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BILL

An Act respecting the Incorporated Synod  
of the Diocese of Ontario and  
St. Thomas Church, Belleville

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*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. SANDERCOCK

---

*(Private Bill)*

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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## BILL

**An Act respecting the Incorporated Synod of the Diocese of Ontario  
and St. Thomas Church, Belleville**

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MR. SANDERCOCK

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# BILL

## An Act respecting the Incorporated Synod of the Diocese of Ontario and St. Thomas Church, Belleville

**W**HEREAS the Incorporated Synod of the Diocese of <sup>Preamble.</sup> Ontario and the Rector of St. Thomas Church in the City of Belleville by their petition have represented that on the 20th day of May, 1830, His late Majesty King George IV did grant certain lands in the City of Belleville to the Rector and Church Wardens of the Church of England in the Town of Belleville; that after the determination of the estate thereby limited to the said Rector and Church Wardens, the said lands were to be held by His late Majesty King George IV and his successors to and for the use, benefit and advantage of the Minister of the Church at Belleville, resident and doing duty there for the time being according to the rights and ceremonies of the Church of England as more particularly set forth in the grant to the Reverend Thomas Campbell, *et al*, recorded the 1st day of June, 1830, Lib. E, Fol. 99, 100, 101, 102 and entered and registered in the registry office for the County of Hastings in Book V for the City of Belleville on the 4th day of January, 1884, as number 7523; that it is desirable to sell a portion of the said lands; that the said Synod, with the consent of the said Rector, has agreed to sell the said portion to The Bell Telephone Company of Canada for the sum of \$10,200; whereas doubts have arisen as to the right of the said Synod and the said Rector to convey the said portion; whereas the petitioners have prayed for special legislation to authorize the said sale; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Incorporated Synod of the Diocese of Ontario, <sup>Power to</sup> with the consent of the Rector of St. Thomas Church, Belle- <sup>sell certain</sup> ville, shall have full power and authority to sell and convey <sup>lands.</sup> to The Bell Telephone Company of Canada for the sum of

\$10,200 all that certain parcel or tract of land and premises situate, lying and being in the City of Belleville, in the County of Hastings and Province of Ontario and being composed of part of Lot 22 on the east side of Church Street according to Henry Carre's registered plan of the City of Belleville, said parcel or tract of land being more particularly described as follows:

COMMENCING at an iron bar planted in the easterly limit of Church Street distant southerly in said limit, 166 feet from the southerly limit of Bridge Street in said City; thence easterly parallel with the southerly limit of Bridge Street, 124 feet, 6 inches; thence southerly parallel with the said easterly limit of Church Street, 37 feet; thence westerly parallel with the said southerly limit of Bridge Street, 124 feet, 6 inches to an iron bar in the said easterly limit of Church Street, distant southerly 37 feet from the place of beginning; thence northerly in said easterly limit 37 feet more or less to the place of beginning.

When lands  
to vest.

2. Upon payment of the said purchase money and delivery of the deed of conveyance with respect to the sale and purchase mentioned in section 1, the said lands shall vest in The Bell Telephone Company of Canada, in fee simple and free and discharged of any and all trusts in respect of the same.

Application  
of purchase  
money.

3.—(1) The Bell Telephone Company of Canada shall not be obliged to see to the application of any of the purchase money for the lands described in section 1.

Idem.

(2) The said purchase money shall be paid to the Incorporated Synod of the Diocese of Ontario to be held in trust and invested until such time as it is required for the purchase or erection of a parsonage.

Idem.

(3) The interest accruing from the investment of the said purchase money shall be paid to the Rector and Wardens of St. Thomas Church, Belleville, and used to provide a residence for the said Rector.

The Crown.

4. This Act shall bind His Majesty.

Commence-  
ment.

5. This Act shall come into force on the day it receives the Royal Assent.

Short title.

6. This Act may be cited as *The St. Thomas Church, Belleville, Act, 1951*.







BILL

An Act respecting the Incorporated Synod  
of the Diocese of Ontario and  
St. Thomas Church, Belleville

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*1st Reading*

February 12th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

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MR. SANDERCOCK

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No. 19

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Hamilton

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MR. EASTON

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(PRIVATE BILL.)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





No. 19

1951

# BILL

## An Act respecting the City of Hamilton

**W**HEREAS the Corporation of the City of Hamilton Preamble.  
by its petition has prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.**—(1) Subject to the approval of the Ontario Municipal By-laws re.  
Board, the council of the Corporation of the City of Hamilton  
may pass by-laws,

- (a) for amending and revising from time to time By-law revising  
No. 4797 To Regulate the Erection and Provide for building  
the Safety of Buildings, and By-law No. 4798 regulations;  
Respecting Conditions Which May Be or Become  
Injurious to Health, both of which by-laws were  
passed on the 29th day of September, 1936, and  
which, as amended respectively by By-laws Nos. 4866  
and 4867 passed on the 26th day of October, 1937,  
and as confirmed by By-law No. 4868 passed on the  
26th day of October, 1937, were validated by Ontario  
Municipal Board Order No. P.F. A-6698 & (a),  
dated the 20th day of October, 1937, pursuant to  
the provisions of *The City of Hamilton Act, 1937*; 1937, c. 91.  
always provided, that no requirement of any such  
by-law shall be so construed as to contravene or  
suspend any requirement of any applicable provincial  
Act or regulation;
- (b) for regulating, in any such amending or revising regulating  
of said By-law No. 4797, all matters relating to the construction,  
design, erection, alteration, demolition, removal, etc., for  
maintenance and use of buildings and structures, abatement  
and the use of land, and the design, construction, of unsafe  
installation, alteration, maintenance and use of all conditions,  
equipment, facilities, matters and things, for the and of  
better protection of persons and property from smoke, etc.;

unsafe conditions as regards danger from fire or risk of accident, and also for the better protection of persons and property from nuisances as regards the emission or escape to the open air from any fuel-burning or refuse-burning equipment of smoke, soot, dust, fly-ash, fumes or other products of combustion;

regulating  
construction,  
etc., for  
protection  
of health;

- (c) for regulating, in any such amending or revising of said By-law No. 4798, all matters relating to the design, erection, alteration, demolition, removal, maintenance and use of buildings and structures, and the use of land, and the design, construction, installation, alteration, maintenance and use of all equipment, facilities, matters and things, for the better protection of persons from conditions that may be or become injurious to health;

checking of  
plans by  
F.P.O.;

- (d) for providing that the Chief Fire Prevention Officer shall check, at the offices of the Building Commissioner, applications for building permits or occupancy permits, together with all plans, specifications and other material filed therewith;

Provided that this provision shall not apply to applications for permits,

- (i) for the erection of a one-family dwelling or two-family dwelling, or for any work in connection therewith,

- (ii) for the erection of a one-storey building the proposed use of which is not one which is hazardous within the meaning of any such by-law, or

- (iii) for any other work as may be specified in any such by-law;

communicat-  
ing objec-  
tions to  
Building  
Commis-  
sioner;

- (e) for providing that the Building Commissioner shall remain responsible for plan-examining with respect to the requirements provided for all construction and installation in every such by-law, and for the issue of building permits and occupancy permits, but that whenever the Chief Fire Prevention Officer, upon checking applications for building permits or occupancy permits, and the plans and other material filed therewith, is of opinion that,

- (i) the use or uses to which the whole or part or parts of the premises are to be put, or

- (ii) the proposed means of egress, or
- (iii) the proposed standpipe or standpipes, sprinkler system or other fire-fighting equipment, or
- (iv) the proposed smoke-pipes or other heating or fuel-burning equipment, or
- (v) any other matter or thing as it may be his duty to check, under the specific provisions of the by-law,

would, if the permit were issued, be likely to result in an unsafe condition as regards danger from fire, for the abatement of which he may be authorized to issue orders pursuant to the provisions of any such by-law or of other applicable legislation, then the Chief Fire Prevention Officer may communicate his views in writing to the Building Commissioner;

- (f) for authorizing the Chief Fire Prevention Officer, <sup>powers of Chief Fire Prevention Officer to order abatement of fire hazards;</sup> instead of the Building Commissioner as formerly, to exercise all the powers provided in said By-law No. 4797 and in amendments and revisions thereof, for the abatement of unsafe conditions as regards danger from fire, whether by requiring the installation or erection of fire escapes or other work of construction, the installing of fire extinguishers or other equipment, the removal of combustible debris, the prevention of overcrowding, or the abatement of any other unsafe conditions as regards danger from fire, but always reserving to the Building Commissioner the exercise of all powers provided for the abatement of unsafe conditions as regards risk of accident other than danger from fire, whether by reason of lack of sufficient strength of walls or floors, the overloading of floors or otherwise, and similarly reserving to the Building Commissioner the duty and power of enforcement of all provisions of said By-laws Nos. 4797 and 4798 and amendments or revisions thereof, relating to construction, and all his other duties and powers under said by-laws save as varied by this Act;
- (g) for providing that any order, decision, notice or <sup>substitutional service of notices, etc.;</sup> other communication of the Building Commissioner, Chief Fire Prevention Officer or Medical Officer of Health, authorized by By-law No. 4797 or By-law No. 4798, or by any other such by-law as mentioned in this section, may, when the person to whom the same is addressed does not reside within the City of Hamilton or cannot by reasonable diligence be found

for the purpose of making personal service upon him, be served, either by serving a true copy thereof upon any grown-up person on the premises to which such order, notice or other communication relates, or by posting the same up in a conspicuous place on the premises, and, in addition to either of the foregoing, sending a true copy thereof to such person by registered mail, addressed to him at his last known address according to the last revised assessment roll, or, if not on the last revised assessment roll, then at General Delivery, Hamilton; and whenever any such communication is addressed to the occupier, a copy shall be served upon or sent to the owner also in the manner hereinbefore provided;

powers upon  
default of  
compliance:

- (h) for providing, whenever an owner, occupier or other person fails to comply with any lawful order of the Building Commissioner or the Chief Fire Prevention Officer, after due notice as provided in said By-law No. 4797 or other such by-law, that the Building Commissioner or Chief Fire Prevention Officer, as the case may be, may,
  - (i) cause the occupiers to be removed forcibly and the premises closed, in which case the said premises shall not again be occupied or used for any purpose for which they are unsafe, until they have been made safe,
  - (ii) enter upon the premises and take such steps as may be necessary to make the building or structure in question sufficiently safe, or to make safe any unsafe condition, or
  - (iii) enter upon the premises, and, when in his opinion such action is warranted, pull down any building or structure or part thereof which, by reason of its ruinous or dilapidated state, faulty construction or otherwise, is in an unsafe condition as regards danger from fire or risk of accident,

and for providing that the amount of cost and expenses of any such work done or caused to be done by the Building Commissioner or the Chief Fire Prevention Officer shall be entered on the tax collector's roll and collected in like manner as municipal taxes are collected;

- (i) for authorizing, whenever such action is warranted, <sup>closing</sup> the closing of any premises by the Chief Fire Prevention Officer by reason of the use of the same being <sup>premises</sup> unsafe as regards danger from fire, or by the Building Commissioner by reason of the use of the same being <sup>without</sup> unsafe as regards risk of accident other than danger from fire; and in such case there may be affixed to such premises in a prominent place, a notice setting forth that the premises are closed and by whose order, and setting forth the reason for such closing, and no person shall pull down or deface such notice or use the premises closed or cause the same to be used, unless and until they are made safe for the purpose for which they are to be used, and the closure order revoked by the official who made such order;

Provided that an appeal may be made by the owner or occupier of the premises so closed, within ten days from the making of the order or within ten days from a refusal to revoke such order upon application by the owner or occupier after reasonable efforts have been made to abate the unsafe condition complained of, and such appeal shall be by way of originating notice according to the practice of the court, to the judge of the county court of the County of Wentworth, who may affirm or revoke any such order, or, upon appeal from a refusal to revoke any such order may make an order of revocation as may in his discretion seem just, upon such terms and conditions as to costs and otherwise as he shall decide, and *The Judges' Orders Enforcement Act* shall apply <sup>Rev. Stat.,</sup> to every order made by a judge under the provisions <sup>c. 189.</sup> of this clause;

- (j) for authorizing the Building Commissioner to permit <sup>permitting</sup> in special cases, such minor deviations from the <sup>minor</sup> requirements of any such by-law as may in his judgment be warranted, provided the general purpose of the by-law is preserved; <sup>deviations;</sup>

And provided further, that no such minor deviation shall be permitted without the consent in writing of the Medical Officer of Health in the case of requirements relating to matters of health, or without the consent in writing of the Chief Fire Prevention Officer in the case of requirements relating to unsafe conditions as regards danger from fire, or without the consent in writing of the Chief Smoke Inspector in the case of requirements involving the question of abatement of the emission or escape to the open air of smoke, dust, fly-ash or other products of combustion;

delegation  
of duties;

- (k) for authorizing the Building Commissioner, Chief Fire Prevention Officer and Medical Officer of Health to delegate such of his duties and powers to such of his assistants or inspectors as from time to time may be necessary or desirable;

persons  
liable;

- (l) for providing that every person, who shall cause, permit or suffer any violation of any such by-law, or of any lawful order of the Building Commissioner, Chief Fire Prevention Officer or Medical Officer of Health pursuant to any such by-law, either as owner, occupier, manager, superintendent, agent, installer, mechanic, repairman, janitor or otherwise, shall be severally liable upon conviction to the penalties provided for breaches of any such by-law;

each day of  
default a  
separate  
offence.

- (m) for providing that every day of default of compliance with any provision of any such by-law or with any such lawful order shall constitute a separate offence.

Restrain by  
action.

- (2) Whenever any by-law, decision or order herein referred to is contravened, in addition to any penalty imposed, such contravention may be restrained by action at the instance of the Corporation.

By-laws re.

- 2.—(1) The council of the Corporation of the City of Hamilton may pass by-laws,

inspection of  
fuel-burning  
equipment;

- (a) for inspecting upon completion, all work of erection, installation, alteration or repair of all fuel-burning equipment for which a building permit has been issued pursuant to any by-law regulating the erection and providing for the safety of buildings, and for the issuing of an operation permit certifying that the work complies with requirements, without which operation permit no such fuel-burning equipment shall be operated, save as hereinafter otherwise provided in this section;

operation  
permit;

prohibition  
without  
operation  
permit;

- (b) for prohibiting, save as hereinafter otherwise provided in this section, the operation of any fuel-burning equipment for which no operation permit has been issued, or with respect to which the operation permit has been revoked, and, for the purpose of this provision, an operation permit shall be deemed to have been issued for all fuel-burning equipment that was in operation upon or prior to the date of the coming into effect of the by-law;

prohibiting  
excessive  
smoke, etc.;

- (c) for regulating and controlling the emission or escape to the open air of smoke and other gaseous or solid

products of combustion from all furnaces, boilers, incinerators, refuse-burning equipment, tar-kettles, power shovels, internal combustion engines and all other fuel-burning equipment and open fires, and for prohibiting, except to such a degree and for such period or periods of time as the by-law may provide, the emission or escape to the open air of smoke and of other gaseous or solid products of combustion, and for prohibiting air pollution or the deposit of dust, fly-ash, cinders, soot or other products of combustion in a manner or to an extent or degree that may be or become injurious to the health, comfort, real or personal property, or to the general welfare of the residents of the City of Hamilton or any of them, and for prohibiting such or suchlike nuisances of a similar nature as may be specifically provided in any such by-law, and for defining the words "air pollution", "cinders", "density", "dust", "fly-ash", "fumes", "good practice", "nuisance", "occupier", "owner", "smoke" and "soot";

- (d) for appointing a Chief Smoke Inspector to administer the provisions of any such by-law, and for authorizing him and his assistants to enter at all reasonable times upon any property in order to ascertain whether any such by-law is being complied with, and for authorizing him to prosecute breaches of such provisions and to take any other proceedings for their enforcement as may be lawfully authorized, and for authorizing him to require the making of such tests of, or alterations in the manner of operating, any fuel-burning equipment, or, with the approval of an Advisory Committee as hereinafter provided for, to require the alteration of any fuel-burning equipment or the installation in connection therewith of such dust-separating equipment, smoke indicators or other devices, facilities or equipment as may in his opinion be required for the purpose of abating the emission or escape of smoke or other gaseous or solid products of combustion, or of recording its degree of density; Smoke Inspector, powers;
- (e) for authorizing the Chief Smoke Inspector to permit in his discretion, minor deviations from the requirements of any such by-law or other by-law regulating the installation, alteration or repair of fuel-burning equipment, so far as regards the abatement of smoke or other products of combustion, so long as the general purpose of the by-law is preserved, and for authorizing him to delegate to any assistant from time to time, such of his duties and powers as may be necessary or desirable; permitting minor deviations;

nuisances  
arising out-  
side the city;

- (f) for authorizing the Chief Smoke Inspector to take any measures or proceedings under any such by-law, with respect to any condition arising less than half a mile outside the City of Hamilton, which would be a contravention of the by-law if within the City, with the same incidents and consequences as if the same occurred wholly within the City of Hamilton, provided that the Advisory Committee is of opinion that such condition is of concern to the residents of the City of Hamilton or any of them, and gives its approval to the taking of such measures or proceedings;

nuisances  
arising on  
account of  
new  
building;

- (g) for providing that whenever any building or structure is erected that adversely affects the draft of a previously-erected stack or chimney to such an extent as to prevent its efficient functioning, or as to create a nuisance, or whenever the emissions from such stack or chimney constitute a nuisance to the occupants of any such subsequently-erected building or structure such condition shall be corrected, either by increasing the height of such stack or chimney, or otherwise by executing such works and doing such things as may be necessary for the purpose, and that such works shall be done by the owner of the stack or chimney, and that the cost and expenses of so doing, to the extent necessary for the purpose, may be recovered by him in any court of competent jurisdiction, as a debt due and payable by the owner of such aforesaid building or structure;

dealers to  
report sales;

- (h) for requiring persons engaged in the selling or leasing of any equipment mentioned in this section, to report particulars to the Building Commissioner within ten days after every such sale or lease;

persons  
liable;

- (i) for providing that every person, who shall cause, permit or suffer any violation of any such by-law, or of any lawful order of the Chief Smoke Inspector, either as owner, occupier, manager, superintendent, engineer, agent, installer, mechanic, fireman, repairman, janitor or otherwise, shall be severally liable upon conviction, to the penalties provided for breaches of the by-law;

Advisory  
Committee,  
appeals to.

- (j) for appointing an Advisory Committee to advise and assist the Chief Smoke Inspector and the city council in matters concerning the abatement of the emission or escape of smoke and other gaseous or solid products of combustion, and to hear and determine appeals from orders or decisions of the Chief



Smoke Inspector, including refusals to permit minor deviations from requirements, and to perform such other duties as may be specified for the better carrying out of the provisions of any such by-law, and for prescribing the qualifications, manner of appointment and term of office of members of the Committee, the number constituting a quorum, and the procedure on appeals;

- (k) for charging and fixing the amount of the fees to be paid upon the filing of a notice of appealing to the Advisory Committee from any order or decision of the Chief Smoke Inspector, without the payment of which fees no appointment for the hearing of any such appeal need be given; <sup>fees on appeal,</sup>
- (l) for providing for appeals in certain circumstances from orders or decisions of the Advisory Committee to a county judge, in a manner similar to that found in those provisions of *The Fire Marshals Act* respecting appeals to a county judge; <sup>appeals to county judge: Rev. Stat., c. 140.</sup>
- (m) for imposing penalties for non-compliance with any provision of any such by-law or with any lawful order of the Chief Smoke Inspector, and for providing that every day of default of compliance with any provision of any such by-law or with any such lawful order shall constitute a separate offence, and that all such penalties shall be recoverable under *The Summary Convictions Act*. <sup>penalties. Rev. Stat., c. 379.</sup>

(2) A copy of any decision or order of the Advisory Committee purporting to be certified by the chairman or acting chairman as a true copy shall be received in evidence without proof of signature, and every smoke chart or smoke comparator provided for measuring density shall also be deemed in evidence to conform to the specifications provided in any such by-law, unless the contrary is shown, and the readings from every smoke indicator installed pursuant to the provisions of any such by-law shall also be received as *prima facie* evidence of facts recorded. <sup>Evidence.</sup>

(3) Whenever any by-law, decision or order herein referred to is contravened, in addition to any penalty imposed, such contravention may be restrained by action at the instance of the Corporation. <sup>Restraint by action.</sup>

(4) Those provisions of any such by-law as may be passed in exercise of any authority contained in clause *a*, *b* or *f* of subsection 1 shall not apply to any fuel-burning equipment <sup>Exemptions for domestic equipment, etc.</sup>

for the service of a one, two or three-family dwelling only, or for similar purposes in commercial establishments of approximately similar size.

Further exemptions.

(5) Subject to subsections 6 to 10, no by-law passed under this section shall apply to any apparatus, device, mechanism or structures referred to in this section on premises which, on the day upon which this Act comes into force, are used for the reduction, refining or smelting of ores or minerals or the manufacturing of cement, brick or tiles, so long as the premises continue to be used for such purposes.

Notice.

(6) The council may serve by registered mail upon any person exempt by subsection 5 from the provisions of a by-law passed under this section a notice of intention to make such person subject to the provisions of such a by-law upon such terms and conditions as are set out in the notice.

Time limit for objections.

(7) Unless within thirty days of the mailing of such notice the person affected by the notice files with the clerk of the municipality a statement of objections, such person shall be subject to any such by-law to the extent set out in the notice.

Hearing.

(8) Upon service of a statement of objections upon the clerk of the municipality within the said thirty days, the council shall itself or by committee or by the Advisory Committee referred to in clause *k* of subsection 1, hold a hearing and shall serve a copy of the decision reached upon the person affected and unless that person appeals in accordance with subsection 9, he shall be subject to the by-law to the extent set out in such decision.

Appeal.

(9) Within thirty days of the service of a decision under subsection 8, the persons affected may serve notice of appeal to the Ontario Municipal Board on the clerk of the municipality and the secretary of the Board, and the Board shall hear the appeal and may dismiss the appeal or make an order that the person affected shall not be subject to the by-law or shall be subject to the by-law to the extent set out in the order.

Municipal Board order final.

(10) The hearing of the appeal shall be a hearing *de novo*, and the order of the Board shall be final and binding upon the person affected and the municipality.

Building lines.

3.—(1) Subject to the approval of the Ontario Municipal Board, the council of the Corporation of the City of Hamilton may pass by-laws, as a preliminary step to the widening of any highway or part thereof, for prescribing the distance from the limits thereof, within which no building or structure or part thereof may be erected, and for prohibiting the

erection of any building or structure or part thereof closer to the limit of such highway or part thereof than the distance fixed by the by-law, and for the purposes of this section the word "highway" includes a "street" as defined in *The Local Improvement Act*. Rev. Stat., c. 215.

(2) The building line fixed by any by-law passed under this section shall not be distant more than twenty feet from the limits of the street or highway; Distance from street.

Provided, that wherever any by-law passed under this section is a preliminary step to the widening of a street or highway in accordance with an official plan within the meaning of *The Planning Act*, or whenever it is necessary or advisable in the interests of the appearance or utility of any street or highway, the Municipal Board may authorize the fixing of the building line or any part or parts of it, at a distance of more than twenty feet from the limits of the street or highway, and such distance need not be a uniform distance from such limits; Rev. Stat., c. 277.

And provided further, that wherever the distance from the street or highway of any such building line is not uniform, a plan or plans prepared by an Ontario land surveyor showing the position of the building line in relation to the limits of the street or highway abutting upon the various lots or parcels of land affected, shall be attached to the by-law and registered in the registry office for the Registry Division of Wentworth, and a notation shall be entered by the registrar in the abstract of every lot or parcel of land affected;

And provided further, that a copy of the pertinent plan or portion thereof, showing to what extent the owner's lands are affected, is sent by registered mail within ten days after the approval of the by-law by the Ontario Municipal Board, to the owners of all lots and parcels of land affected, addressed to such owners at their addresses according to the last revised assessment roll.

(3) A by-law passed under this section shall not be amended or repealed except by leave of said Board and upon such terms as the Board may determine. Leave of Board required.

(4) A by-law passed under this section shall not take effect until it is approved by the Ontario Municipal Board, and when so approved shall not prevent the erection closer to the highway than the distance fixed by the by-law, of a one-storey building of such temporary character, in conformity with existing building and zoning by-laws, as may be reasonable. Exception, one-storey buildings.

Compulsory  
street  
widening.

(5) After such a by-law has been passed and approved by the Ontario Municipal Board, it shall be the duty of the Corporation to acquire or expropriate the land on that side of the street or highway lying between the limit thereof and the building line fixed by the by-law in any portion of such street or highway lying between two intersecting streets,

(a) when three-fourths of the land fronting and abutting on such portion has become occupied by buildings built to conform to the building line fixed by the by-law; or

(b) at any time after the expiration of ten years from the date of the by-law upon petition in writing of the majority of the owners of property affected by the by-law in any such portion.

Compensa-  
tion when  
land cleared.

(6) Where any owner of land clears that part thereof lying between the limit of the street or highway and the building line fixed by the by-law and offers to convey such part to the Corporation, the Corporation shall accept such conveyance and shall be liable for compensation to the owner or the persons entitled thereto to the same extent as if the by-law had been passed to widen the street or highway.

Limitation of  
compensa-  
tion.

(7) In determining the compensation payable by the Corporation for the taking of lands for the widening of a portion of a street or highway in respect to which a building line has been fixed under this section, the Corporation shall not be liable to pay compensation for or in respect to any building erected in contravention of the by-law fixing the building line.

No claims  
for damages,  
etc.

(8) Notwithstanding anything to the contrary in any other Act, and except as provided in subsection 6, the Corporation shall not be liable to pay any compensation or damages by reason of having passed a by-law under this section.

To require  
off-street  
parking  
facilities.

Rev. Stat..  
c. 243.

4. Subject to the approval of the Ontario Municipal Board and the provisions of section 390 of *The Municipal Act*, the council of the Corporation of the City of Hamilton may pass by-laws for requiring the owners or occupants of buildings or structures to be erected or used for any purpose named in the by-law, to provide and maintain parking facilities on land that is not part of a highway, in addition to the other powers already contained in said section 390.

By-laws re.

5. The council of the Corporation of the City of Hamilton may pass by-laws,

- (a) for providing that all moneys received from the establishing use of parking meters and all fines recovered for "Parking Fund"; parking offences shall be credited to a special fund which may be known and referred to as the "Parking Fund";
  - (b) for providing that the cost and expenses of purchasing expenses to and maintaining parking meters shall be paid out be charged against of the Parking Fund, including salaries of employees Fund; and police constables to the extent that their time may be chargeable to collection of such fines and otherwise in connection with the enforcement of such by-law provisions relating to parking, as may from time to time be approved by the city council;
  - (c) for providing that all moneys remaining in the improving Parking Fund shall be used only for the regulation of parking facilities; traffic and the improvement of traffic conditions and parking facilities, including the purchase of lands for use as parking lots either under lease from the Corporation or operated by the Corporation as the council may from time to time decide; and
  - (d) for acquiring lands by lease or purchase, or by operating expropriation proceedings or otherwise, for the parking lots, etc. purpose of parking lots or parking stations, and for operating parking lots or parking stations, or for leasing to other persons any lands of the Corporation for such purpose, upon such terms as the council with the approval of the Department of Highways may determine.
- 6.** This act shall come into force on the day it receives the Commencement.  
Royal Assent.
- 7.** This Act may be cited as *The City of Hamilton Act, 1951*. Short title.

BILL

An Act respecting the City of Hamilton

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. EASTON

*(Private Bill)*

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Hamilton

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MR. EASTON

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*(Reprinted for consideration by the Committee on Private Bills)*

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





No. 19

1951

# BILL

## An Act respecting the City of Hamilton

**W**HEREAS the Corporation of the City of Hamilton Preamble.  
by its petition has prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1.—(1) Subject to the approval of the Ontario Municipal By-laws re.  
Board, the council of the Corporation of the City of Hamilton  
may pass by-laws,

- (a) for amending and revising from time to time By-law revising building regulations;  
No. 4797 To Regulate the Erection and Provide for  
the Safety of Buildings, and By-law No. 4798  
Respecting Conditions Which May Be or Become  
Injurious to Health, both of which by-laws were  
passed on the 29th day of September, 1936, and  
which, as amended respectively by By-laws Nos. 4866  
and 4867 passed on the 26th day of October, 1937,  
and as confirmed by By-law No. 4868 passed on the  
26th day of October, 1937, were validated by Ontario  
Municipal Board Order No. P.F. A-6698 & (a),  
dated the 20th day of October, 1937, pursuant to  
the provisions of *The City of Hamilton Act, 1937*; 1937, c. 91.  
always provided, that no requirement of any such  
by-law shall be so construed as to contravene or  
suspend any requirement of any applicable provincial  
Act or regulation;
- (b) for regulating, in any such amending or revising regulating construction etc., for abatement of unsafe conditions, and of smoke, etc.;  
of said By-law No. 4797, all matters relating to the  
design, erection, alteration, demolition, removal,  
maintenance and use of buildings and structures,  
and the use of land, and the design, construction,  
installation, alteration, maintenance and use of all  
equipment, facilities, matters and things, for the  
better protection of persons and property from

unsafe conditions as regards danger from fire or risk of accident, and also for the better protection of persons and property from nuisances as regards the emission or escape to the open air from any fuel-burning or refuse-burning equipment of smoke, soot, dust, fly-ash, fumes or other products of combustion;

regulating  
construction,  
etc., for  
protection  
of health;

- (c) for regulating, in any such amending or revising of said By-law No. 4798, all matters relating to the design, erection, alteration, demolition, removal, maintenance and use of buildings and structures, and the use of land, and the design, construction, installation, alteration, maintenance and use of all equipment, facilities, matters and things, for the better protection of persons from conditions that may be or become injurious to health;

checking of  
plans by  
F.P.O.;

- (d) for providing that the Chief Fire Prevention Officer shall check, at the offices of the Building Commissioner, applications for building permits or occupancy permits, together with all plans, specifications and other material filed therewith;

Provided that this provision shall not apply to applications for permits,

- (i) for the erection of a one-family dwelling or two-family dwelling, or for any work in connection therewith,
- (ii) for the erection of a one-storey building the proposed use of which is not one which is hazardous within the meaning of any such by-law, or
- (iii) for any other work as may be specified in any such by-law;

communicat-  
ing objec-  
tions to  
Building  
Commis-  
sioner;

- (e) for providing that the Building Commissioner shall remain responsible for plan-examining with respect to the requirements provided for all construction and installation in every such by-law, and for the issue of building permits and occupancy permits, but that whenever the Chief Fire Prevention Officer, upon checking applications for building permits or occupancy permits, and the plans and other material filed therewith, is of opinion that,

- (i) the use or uses to which the whole or part or parts of the premises are to be put, or

- (ii) the proposed means of egress, or
- (iii) the proposed standpipe or standpipes, sprinkler system or other fire-fighting equipment, or
- (iv) the proposed smoke-pipes or other heating or fuel-burning equipment, or
- (v) any other matter or thing as it may be his duty to check, under the specific provisions of the by-law,

would, if the permit were issued, be likely to result in an unsafe condition as regards danger from fire, for the abatement of which he may be authorized to issue orders pursuant to the provisions of any such by-law or of other applicable legislation, then the Chief Fire Prevention Officer may communicate his views in writing to the Building Commissioner;

- (f) for authorizing the Chief Fire Prevention Officer, <sup>powers of Chief Fire Prevention Officer to</sup> instead of the Building Commissioner as formerly, to exercise all the powers provided in said By-law No. 4797 and in amendments and revisions thereof, <sup>order abatement of fire hazards;</sup> for the abatement of unsafe conditions as regards danger from fire, whether by requiring the installation or erection of fire escapes or other work of construction, the installing of fire extinguishers or other equipment, the removal of combustible debris, the prevention of overcrowding, or the abatement of any other unsafe conditions as regards danger from fire, but always reserving to the Building Commissioner the exercise of all powers provided for the abatement of unsafe conditions as regards risk of accident other than danger from fire, whether by reason of lack of sufficient strength of walls or floors, the overloading of floors or otherwise, and similarly reserving to the Building Commissioner the duty and power of enforcement of all provisions of said By-laws Nos. 4797 and 4798 and amendments or revisions thereof, relating to construction, and all his other duties and powers under said by-laws save as varied by this Act;
- (g) for providing that any order, decision, notice or <sup>substitutional</sup> other communication of the Building Commissioner, <sup>service of</sup> Chief Fire Prevention Officer or Medical Officer of Health, <sup>of notices, etc.;</sup> authorized by By-law No. 4797 or By-law No. 4798, or by any other such by-law as mentioned in this section, may, when the person to whom the same is addressed does not reside within the City of Hamilton or cannot by reasonable diligence be found

for the purpose of making personal service upon him, be served, either by serving a true copy thereof upon any grown-up person on the premises to which such order, notice or other communication relates, or by posting the same up in a conspicuous place on the premises, and, in addition to either of the foregoing, sending a true copy thereof to such person by registered mail, addressed to him at his last known address according to the last revised assessment roll, or, if not on the last revised assessment roll, then at General Delivery, Hamilton; and whenever any such communication is addressed to the occupier, a copy shall be served upon or sent to the owner also in the manner hereinbefore provided;

permitting  
minor  
deviations;

- (h) for authorizing the Building Commissioner to permit in special cases, such minor deviations from the requirements of any such by-law as may in his judgment be warranted, provided the general purpose of the by-law is preserved;

And provided further, that no such minor deviation shall be permitted without the consent in writing of the Medical Officer of Health in the case of requirements relating to matters of health, or without the consent in writing of the Chief Fire Prevention Officer in the case of requirements relating to unsafe conditions as regards danger from fire, or without the consent in writing of the Chief Smoke Inspector in the case of requirements involving the question of abatement of the emission or escape to the open air of smoke, dust, fly-ash or other products of combustion;

delegation  
of duties;

- (i) for authorizing the Building Commissioner, Chief Fire Prevention Officer and Medical Officer of Health to delegate such of his duties and powers to such of his assistants or inspectors as from time to time may be necessary or desirable;

persons  
liable;

- (j) for providing that every person, who shall cause, permit or suffer any violation of any such by-law, or of any lawful order of the Building Commissioner, Chief Fire Prevention Officer or Medical Officer of Health pursuant to any such by-law, either as owner, occupier, manager, superintendent, agent, installer, mechanic, repairman, janitor or otherwise, shall be severally liable upon conviction to the penalties provided for breaches of any such by-law;

- (k) for providing that every day of default of compliance with any provision of any such by-law or with any such lawful order shall constitute a separate offence; <sup>each day of default a separate offence;</sup>

- (l) for providing, wherever an owner, occupier or other person, is convicted for failure to comply with any lawful order of the Building Commissioner or the Chief Fire Prevention Officer, that the Building Commissioner or Chief Fire Prevention Officer, as the case may be, may, on order of a court or justice as provided in subsection 4, <sup>powers upon default of compliance;</sup>

- (i) enter upon the premises and take such steps as may be necessary to make the building or structure in question sufficiently safe, or to make safe any unsafe condition, or

- (ii) enter upon the premises, and, when in his opinion such action is warranted, pull down any building or structure or part thereof which, by reason of its ruinous or dilapidated state, faulty construction or otherwise, is in an unsafe condition as regards danger from fire or risk of accident,

and for providing that the amount of cost and expenses of any such work done or caused to be done by the Building Commissioner or the Chief Fire Prevention Officer shall be entered on the tax collector's roll and collected in like manner as municipal taxes are collected;

- (m) for appointing a Committee of Safety to advise and assist the City Council and the Building Commissioner with respect to the requirements or proposed requirements of any such by-law, with a view to prevent, so far as may be both practicable and reasonable, the creation of unsafe conditions as regards danger from fire or risk of accident, and for authorizing the Committee of Safety to hear and determine appeals from orders or decisions of the Building Commissioner for the abatement of unsafe conditions as regards risk of accident, and from decisions of the Building Commissioner or Chief Fire Prevention Officer to refuse to permit minor deviations from the requirements of the by-law, and to perform such other duties as may be specified for the better carrying out of any such by-law relating to any of the matters mentioned in this section, and for prescribing the qualifications, manner of <sup>Committee of Safety;</sup> <sup>appeals to Committee;</sup>

appointment, and term of office of members of the Committee of Safety, the number constituting a quorum, and the procedure on appeals;

Provided that all such appeals shall be only from orders issued under any discretionary authority, and that there shall be no right of appeal from any order which does not require any work of construction, installation, demolition or removal of any building, structure, equipment or part thereof;

fees on  
appeal;

- (n) for charging and fixing the amount of the fees to be paid upon the filing of a notice of appeal to the Committee of Safety from any order or decision as aforesaid, without the payment of which fees no appointment for the hearing of any such appeal need be given;

appeal to  
county  
judge;

- (o) for providing for appeals from orders or decisions of the Committee of Safety to a county judge, in a manner similar to that found in those provisions of *The Fire Marshals Act* respecting appeals to a county judge; and

Rev. Stat.,  
c. 140.

appeals from  
orders of  
F.P.O.

- (p) for providing that all orders issued under any discretionary authority of the Chief Fire Prevention Officer for the abatement of unsafe conditions as regards danger from fire other than orders for the removal of combustible debris or other orders which do not require any work of construction, installation, demolition or removal of any building, structure, equipment or part thereof, may be appealed to the Ontario Fire Marshal, and from the decision of the Ontario Fire Marshal to the judge of the county court of the County of Wentworth, in the same manner as provided for by *The Fire Marshals Act* with respect to appeals from orders of an assistant to the Ontario Fire Marshal.

Interpreta-  
tion.  
Rev. Stat.,  
c. 306.

- (2) For the purposes of this section, "owner" and "occupier" have the meanings provided in *The Public Health Act*.

Certified  
copies—  
evidence.

- (3) A copy of any decision or order of the Committee of Safety purporting to be certified by the chairman or acting chairman as a true copy shall be received in evidence without proof of signature.

Penalties.

- (4) Every person who contravenes any provision of any such by-law or fails to comply with any lawful order of the Building Commissioner, Chief Fire Prevention Officer or

Medical Officer of Health shall be liable, upon conviction, to a penalty of not more than \$50 for each offence, which penalties shall be recoverable under *The Summary Convictions Act*,<sup>Rev. Stat., c. 379.</sup> and, in addition, wherever any such offence consists of failure by an owner or occupier of premises to comply with the requirements of any such by-law or of any such lawful order with respect to the premises of which he is the owner or occupier, the court or justice may order the premises closed until there is compliance with the requirements of the by-law or of any such lawful order, or may order that the work may be done at the expense of the owner or occupier as provided in clause 1 of subsection 1.

(5) Whenever any by-law, decision or order herein referred to is contravened, in addition to any penalty imposed, such contravention may be restrained by action at the instance of the Corporation.<sup>Restraint by action.</sup>

**2.—(1)** The council of the Corporation of the City of Hamilton may pass by-laws,<sup>By-laws re.</sup>

- (a) for inspecting upon completion, all work of erection, installation, alteration or repair of all fuel-burning equipment for which a building permit has been issued pursuant to any by-law regulating the erection and providing for the safety of buildings, and for the issuing of an operation permit certifying that the work complies with requirements, without which operation permit no such fuel-burning equipment shall be operated, save as hereinafter otherwise provided in this section;<sup>inspection of fuel-burning equipment;</sup>
- (b) for prohibiting, save as hereinafter otherwise provided in this section, the operation of any fuel-burning equipment for which no operation permit has been issued, or with respect to which the operation permit has been revoked, and, for the purpose of this provision, an operation permit shall be deemed to have been issued for all fuel-burning equipment that was in operation upon or prior to the date of the coming into effect of the by-law;<sup>prohibition without operation permit;</sup>
- (c) for regulating and controlling the emission or escape to the open air of smoke and other gaseous or solid products of combustion from all furnaces, boilers, incinerators, refuse-burning equipment, tar-kettles, power shovels, internal combustion engines and all other fuel-burning equipment and open fires, and for prohibiting, except to such a degree and for such period or periods of time as the by-law may provide,<sup>prohibiting excessive smoke, etc.;</sup>

the emission or escape to the open air of smoke and of other gaseous or solid products of combustion, and for prohibiting air pollution or the deposit of dust, fly-ash, cinders, soot or other products of combustion in a manner or to an extent or degree that may be or become injurious to the health, comfort, real or personal property, or to the general welfare of the residents of the City of Hamilton or any of them, and for prohibiting such or suchlike nuisances of a similar nature as may be specifically provided in any such by-law, and for defining the words "air pollution", "cinders", "density", "dust", "fly-ash", "fumes", "good practice", "nuisance", "occupier", "owner", "smoke" and "soot";

Smoke  
Inspector,  
powers;

- (d) for appointing a Chief Smoke Inspector to administer the provisions of any such by-law, and for authorizing him and his assistants to enter at all reasonable times upon any property in order to ascertain whether any such by-law is being complied with, and for authorizing him to prosecute breaches of such provisions and to take any other proceedings for their enforcement as may be lawfully authorized, and for authorizing him to require the making of such tests of, or alterations in the manner of operating, any fuel-burning equipment, or, with the approval of an Advisory Committee as hereinafter provided for, to require the alteration of any fuel-burning equipment or the installation in connection therewith of such dust-separating equipment, smoke indicators or other devices, facilities or equipment as may in his opinion be required for the purpose of abating the emission or escape of smoke or other gaseous or solid products of combustion, or of recording its degree of density;

permitting  
minor  
deviations;

- (e) for authorizing the Chief Smoke Inspector to permit in his discretion, minor deviations from the requirements of any such by-law or other by-law regulating the installation, alteration or repair of fuel-burning equipment, so far as regards the abatement of smoke or other products of combustion, so long as the general purpose of the by-law is preserved, and for authorizing him to delegate to any assistant from time to time, such of his duties and powers as may be necessary or desirable;

delegation  
of powers;

nuisances  
arising out-  
side the city;

- (f) for authorizing the Chief Smoke Inspector to take any measures or proceedings under any such by-law, with respect to any condition arising less than half a mile outside the City of Hamilton, which would be a contravention of the by-law if within the City, with



the same incidents and consequences as if the same occurred wholly within the City of Hamilton, provided that the Advisory Committee is of opinion that such condition is of concern to the residents of the City of Hamilton or any of them, and gives its approval to the taking of such measures or proceedings;

- (g) for providing that whenever any building or structure is erected that adversely affects the draft of a previously-erected stack or chimney to such an extent as to prevent its efficient functioning, or as to create a nuisance, or whenever the emissions from such stack or chimney constitute a nuisance to the occupants of any such subsequently-erected building or structure such condition shall be corrected, either by increasing the height of such stack or chimney, or otherwise by executing such works and doing such things as may be necessary for the purpose, and that such works shall be done by the owner of the stack or chimney, and that the cost and expenses of so doing, to the extent necessary for the purpose, may be recovered by him in any court of competent jurisdiction, as a debt due and payable by the owner of such aforesaid building or structure; <sup>nuisances arising on account of new building;</sup>
- (h) for requiring persons engaged in the selling or leasing of any equipment mentioned in this section, to report particulars to the Building Commissioner within ten days after every such sale or lease; <sup>dealers to report sales;</sup>
- (i) for providing that every person, who shall cause, permit or suffer any violation of any such by-law, or of any lawful order of the Chief Smoke Inspector, either as owner, occupier, manager, superintendent, engineer, agent, installer, mechanic, fireman, repairman, janitor or otherwise, shall be severally liable upon conviction, to the penalties provided for breaches of the by-law; <sup>persons liable;</sup>
- (j) for appointing an Advisory Committee to advise and assist the Chief Smoke Inspector and the city council in matters concerning the abatement of the emission or escape of smoke and other gaseous or solid products of combustion, and to hear and determine appeals from orders or decisions of the Chief Smoke Inspector, including refusals to permit minor deviations from requirements, and to perform such other duties as may be specified for the better carrying out of the provisions of any such by-law, and for prescribing the qualifications, manner of <sup>Advisory Committee, appeals to.</sup>

appointment and term of office of members of the Committee, the number constituting a quorum, and the procedure on appeals;

fees on  
appeal;

- (k) for charging and fixing the amount of the fees to be paid upon the filing of a notice of appealing to the Advisory Committee from any order or decision of the Chief Smoke Inspector, without the payment of which fees no appointment for the hearing of any such appeal need be given;

appeals to  
county  
judge;

- (l) for providing for appeals in certain circumstances from orders or decisions of the Advisory Committee to a county judge, in a manner similar to that found in those provisions of *The Fire Marshals Act* respecting appeals to a county judge;

Rev. Stat.,  
c. 140.

penalties.

- (m) for imposing penalties for non-compliance with any provision of any such by-law or with any lawful order of the Chief Smoke Inspector, and for providing that every day of default of compliance with any provision of any such by-law or with any such lawful order shall constitute a separate offence, and that all such penalties shall be recoverable under *The Summary Convictions Act*.

Rev. Stat.,  
c. 379.

Evidence.

- (2) A copy of any decision or order of the Advisory Committee purporting to be certified by the chairman or acting chairman as a true copy shall be received in evidence without proof of signature, and every smoke chart or smoke comparator provided for measuring density shall also be deemed in evidence to conform to the specifications provided in any such by-law, unless the contrary is shown, and the readings from every smoke indicator installed pursuant to the provisions of any such by-law shall also be received as *prima facie* evidence of facts recorded.

Restraint  
by action.

- (3) Whenever any by-law, decision or order herein referred to is contravened, in addition to any penalty imposed, such contravention may be restrained by action at the instance of the Corporation.

Exemptions  
for domestic  
equipment,  
etc.

- (4) Those provisions of any such by-law as may be passed in exercise of any authority contained in clause *a*, *b* or *f* of subsection 1 shall not apply to any fuel-burning equipment for the service of a one, two or three-family dwelling only, or for similar purposes in commercial establishments of approximately similar size.

Further  
exemptions.

- (5) Subject to subsections 6 to 10, no by-law passed under this section shall apply to any apparatus, device, mechanism

or structures referred to in this section on premises which, on the day upon which this Act comes into force, are used for the reduction, refining or smelting of ores or minerals or the manufacturing of cement, brick or tiles, so long as the premises continue to be used for such purposes.

(6) The council may serve by registered mail upon any person exempt by subsection 5 from the provisions of a by-law passed under this section a notice of intention to make such person subject to the provisions of such a by-law upon such terms and conditions as are set out in the notice.

(7) Unless within thirty days of the mailing of such notice the person affected by the notice files with the clerk of the municipality a statement of objections, such person shall be subject to any such by-law to the extent set out in the notice. <sup>Time limit for objections.</sup>

(8) Upon service of a statement of objections upon the clerk of the municipality within the said thirty days, the council shall itself or by committee or by the Advisory Committee referred to in clause *k* of subsection 1, hold a hearing and shall serve a copy of the decision reached upon the person affected and unless that person appeals in accordance with subsection 9, he shall be subject to the by-law to the extent set out in such decision. <sup>Hearing.</sup>

(9) Within thirty days of the service of a decision under subsection 8, the persons affected may serve notice of appeal to the Ontario Municipal Board on the clerk of the municipality and the secretary of the Board, and the Board shall hear the appeal and may dismiss the appeal or make an order that the person affected shall not be subject to the by-law or shall be subject to the by-law to the extent set out in the order. <sup>Appeal.</sup>

(10) The hearing of the appeal shall be a hearing *de novo*, and the order of the Board shall be final and binding upon the person affected and the municipality. <sup>Municipal Board order final.</sup>

**3.—**(1) Subject to the approval of the Ontario Municipal Board, the council of the Corporation of the City of Hamilton may pass by-laws, as a preliminary step to the widening of any highway or part thereof, for prescribing the distance from the limits thereof, within which no building or structure or part thereof may be erected, and for prohibiting the erection of any building or structure or part thereof closer to the limit of such highway or part thereof than the distance fixed by the by-law, and for the purposes of this section the word "highway" includes a "street" as defined in *The Local Improvement Act*. <sup>Building lines. Rev. Stat., c. 215.</sup>

Distance  
from street.

(2) The building line fixed by any by-law passed under this section shall not be distant more than twenty feet from the limits of the street or highway;

Rev. Stat.,  
c. 277.

Provided, that wherever any by-law passed under this section is a preliminary step to the widening of a street or highway in accordance with an official plan within the meaning of *The Planning Act*, or whenever it is necessary or advisable in the interests of the appearance or utility of any street or highway, the Municipal Board may authorize the fixing of the building line or any part or parts of it, at a distance of more than twenty feet from the limits of the street or highway, and such distance need not be a uniform distance from such limits;

And provided further, that wherever the distance from the street or highway of any such building line is not uniform, a plan or plans prepared by an Ontario land surveyor showing the position of the building line in relation to the limits of the street or highway abutting upon the various lots or parcels of land affected, shall be attached to the by-law and registered in the registry office for the Registry Division of Wentworth, and a notation shall be entered by the registrar in the abstract of every lot or parcel of land affected;

And provided further, that a copy of the pertinent plan or portion thereof, showing to what extent the owner's lands are affected, is sent by registered mail within ten days after the approval of the by-law by the Ontario Municipal Board, to the owners of all lots and parcels of land affected, addressed to such owners at their addresses according to the last revised assessment roll.

Leave of  
Board  
required.

(3) A by-law passed under this section shall not be amended or repealed except by leave of said Board and upon such terms as the Board may determine.

Exception,  
one-storey  
buildings.

(4) A by-law passed under this section shall not take effect until it is approved by the Ontario Municipal Board, and when so approved shall not prevent the erection closer to the highway than the distance fixed by the by-law, of a one-storey building of such temporary character, in conformity with existing building and zoning by-laws, as may be reasonable.

Compulsory  
street  
widening.

(5) After such a by-law has been passed and approved by the Ontario Municipal Board, it shall be the duty of the Corporation to acquire or expropriate the land on that side of the street or highway lying between the limit thereof and the building line fixed by the by-law in any portion of such street or highway lying between two intersecting streets,

- (a) when three-fourths of the land fronting and abutting on such portion has become occupied by buildings built to conform to the building line fixed by the by-law; or
- (b) at any time after the expiration of ten years from the date of the by-law upon petition in writing of the majority of the owners of property affected by the by-law in any such portion.

(6) Where any owner of land clears that part thereof lying between the limit of the street or highway and the building line fixed by the by-law and offers to convey such part to the Corporation, the Corporation shall accept such conveyance and shall be liable for compensation to the owner or the persons entitled thereto to the same extent as if the by-law had been passed to widen the street or highway.

(7) In determining the compensation payable by the Corporation for the taking of lands for the widening of a portion of a street or highway in respect to which a building line has been fixed under this section, the Corporation shall not be liable to pay compensation for or in respect to any building erected in contravention of the by-law fixing the building line.

(8) Notwithstanding anything to the contrary in any other Act, and except as provided in subsection 6, the Corporation shall not be liable to pay any compensation or damages by reason of having passed a by-law under this section.

4. Subject to the approval of the Ontario Municipal Board and the provisions of section 390 of *The Municipal Act*, the council of the Corporation of the City of Hamilton may pass by-laws for requiring the owners or occupants of buildings or structures to be erected or used for any purpose named in the by-law, to provide and maintain parking facilities on land that is not part of a highway, in addition to the other powers already contained in said section 390.

5. The council of the Corporation of the City of Hamilton may pass by-laws,

- (a) for providing that all moneys received from the use of parking meters and all fines recovered for parking offences shall be credited to a special fund which may be known and referred to as the "Parking Fund";

expenses to  
be charged  
against  
Fund;

- (b) for providing that the cost and expenses of purchasing and maintaining parking meters shall be paid out of the Parking Fund, including salaries of employees and police constables to the extent that their time may be chargeable to collection of such fines and otherwise in connection with the enforcement of such by-law provisions relating to parking, as may from time to time be approved by the city council;



improving  
parking  
facilities;

- (c) for providing that all moneys remaining in the Parking Fund shall be used only for the regulation of traffic and the improvement of traffic conditions and parking facilities, including the purchase of lands for use as parking lots either under lease from the Corporation or operated by the Corporation as the council may from time to time decide; and

operating  
parking  
lots, etc.

- (d) for acquiring lands by lease or purchase, or by expropriation proceedings or otherwise, for the purpose of parking lots or parking stations, and for operating parking lots or parking stations, or for leasing to other persons any lands of the Corporation for such purpose, upon such terms as the council with the approval of the Department of Highways may determine.

By-law and  
agreement  
confirmed.

 **6.** By-law No. 6698 of the Corporation of the City of Hamilton dated the 27th day of February, 1951, and the Agreement scheduled thereto both set forth as the Schedule hereto are confirmed and declared to be legal, valid and binding in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act, and the said Corporation is hereby authorized and empowered to pass such other by-laws, to enter into such other agreements, and to do all such other acts, matters and things as may be deemed necessary by the said Corporation for the full and proper carrying out of the provisions of the said Agreement. 

Commence-  
ment.

**7.** This act shall come into force on the day it receives the Royal Assent.

Short title.

**8.** This Act may be cited as *The City of Hamilton Act, 1951*.

## SCHEDULE

By-LAW No. 6698

To Authorize the Execution of an Agreement between The Corporation of the City of Hamilton and The Hamilton Street Railway Company.

The Council of The Corporation of the City of Hamilton enacts as follows:—

1. That the Agreement dated the 28th day of February, 1951 between The Corporation of the City of Hamilton of the first part and The Hamilton Street Railway Company of the second part a copy whereof is set out in schedule A to this By-law is hereby adopted, approved, ratified and confirmed.

2. The Mayor and the Clerk of the said Corporation are hereby authorized and directed to execute the said Agreement on behalf of the said Corporation and to affix the Corporate Seal thereto.

PASSED this 27th day of February, A.D. 1951.

J. F. BERRY,  
*City Clerk.*

L. D. JACKSON,  
*Mayor.*

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*Schedule "A"*

THIS AGREEMENT, made the 28th day of February, 1951.

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON (herein-  
after called the "City"),

OF THE FIRST PART,

—and—

THE HAMILTON STREET RAILWAY COMPANY (hereinafter  
called the "Company"),

OF THE SECOND PART.

WHEREAS the Company has an exclusive franchise to construct, complete, maintain and operate within the limits of the City as such limits may be from time to time a transportation system;

AND WHEREAS the Company has agreed with the City to provide a modern and efficient transportation system;

AND WHEREAS the Company owns and operates a transportation system in the City consisting of street car, motor bus and trolley coach services;

AND WHEREAS in connection with such transportation system the City passed certain By-laws more particularly By-laws Numbers 624 in 1892, 3336 in 1926, 5124 in 1940 and 6454 in 1949 and entered into certain Agreements with the Company, more particularly those dated or made the 26th day of March, 1892, the 25th day of May, 1926, the 3rd day of July, 1940, and the 25th day of October, 1949;

AND WHEREAS by the terms of Section 9 of the said Agreement dated the 25th day of May, 1926, the Company is required to pay as therein provided, to the City, quarterly, four per centum (4%) of its gross receipts;

AND WHEREAS due to changed conditions including increased financial requirements of the Company for the purchase of equipment and generally increased labour and material costs, it is now in the best interests of both the City and the Company to discontinue such payments;

AND WHEREAS the Company has undertaken to provide certain services and make certain payments as more particularly set out herein;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises the parties hereto have agreed as follows:—

1. The payments by the Company to the City provided for by Section 9 of the said Agreement dated the 25th day of May, 1926 (approved and authorized by said By-law No. 3336) shall be discontinued as and from the 1st day of January, 1951.

2. All words and paragraphs in the said Section 9 of the said Agreement following the words in the third line "shall be repealed" are struck out and repealed and shall have no further force or effect on and after the 1st day of January, 1951, and as from the said date the said Section 9 shall be deemed to read as follows:—

"9. The payments by the Company to the City provided for by Sections 23 and 24 of said By-law No. 624 shall be discontinued and said sections shall be repealed."

3. The Company shall:

- (a) Discontinue on or before the 31st day of May, 1951, the operation of street cars on all routes presently served thereby and shall provide service by motor buses in substitution therefor;
- (b) Establish and operate on or before the 31st day of December, 1951, a trolley coach service in the general area now served by street cars on what is now known as the Belt Line Route with the exception of Kenilworth Avenue, between Barton Street and Main Street East;
- (c) Provide and operate, when required by and as the agent of the City, three pieces of snow-clearing equipment on the routes of the Company and shall provide the necessary personnel for such operation, provided that the City shall reimburse the Company for all wages and other remuneration and expenses paid for such operation to or for the operators of such equipment.

4. The removal of rails and the laying of new pavement where rails have been removed, referred to in paragraph 6 of the said Agreement dated the 3rd day of July, 1940 (confirmed by said By-law No. 5124), shall be carried out and the Company's share of the cost thereof, described in said paragraph 6 shall be paid by the Company to the City, as follows:

- (a) The City shall carry out and be responsible for all such removals and new pavements and shall determine the times and priorities for the commencement and completion thereof, provided that all removals and new pavements on the Belt Line Route designated by the Company as necessary for trolley coach service shall be completed in good time to permit the Company to provide the trolley coach service referred to in paragraph 3 (b) hereof;
- (b) The Company shall pay to the City its share of the total cost of such removals and new pavements, as set forth in said paragraph 6 of the said Agreement dated the 3rd day of July, 1940, in five equal annual instalments commencing in the year 1951, provided that if in any year the Company's share of the total cost of such removals and new pavements undertaken and completed in that year exceeds the total of the Company's instalment for that year plus the unexpended balance (if any) of its prior annual instalments, the Company shall pay in that year the amount of such excess. Any payments by the Company in excess of the normal annual instalments shall be credited against future payments by the Company and the Company shall not be required to pay more than its said share, as herein determined, of the said total cost.
- (c) The City and the Company shall set up a Committee of qualified persons representing both the City and the Company which



Committee shall examine and agree on the total cost of all such removals and new pavements and the respective shares of such total cost to be borne by the City and by the Company. In the event that the said Committee cannot agree by the 31st day of May, 1951, as to both such total cost and the share of the Company, notwithstanding anything herein contained, the provisions of said paragraph 6 of the Agreement dated the 3rd day of July, 1940, shall govern such removals and new pavements and the payment of the cost thereof, without any amendment or change.

5. The Company shall not be responsible or held to be in default for any matter arising hereunder for causes beyond its control.

6. This Agreement is in amendment of all the By-laws and Agreements referred to herein, more particularly By-laws Numbers 624, 3336, 5124 and 6454 and the Agreements dated or made the 26th day of March, 1892, the 25th day of May, 1926, the 3rd day of July, 1940, and the 25th day of October, 1949, and the said By-laws and Agreements, so far as they are in force, shall, subject as herein modified, remain in full force and effect.

7. The parties hereto agree to join and co-operate in applying to the Legislature of the Province of Ontario immediately following the execution of this Agreement for legislation confirming and ratifying this Agreement and declaring the same to be valid, legal and binding upon the parties hereto.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed by their duly authorized officers and have affixed hereto their respective corporate seals.

SIGNED, SEALED AND DELIVERED

Approved,  
A. J. POLSON,  
*City Solicitor.*

THE CORPORATION OF THE CITY OF  
HAMILTON

L. D. JACKSON,  
*Mayor.*

[Seal] W. E. GRIFFIN,  
*Deputy City Clerk.*

THE HAMILTON STREET RAILWAY  
COMPANY

FRANCIS FARWELL,  
*President.*

[Seal] J. J. WALL,  
*Secretary.*

BILL

An Act respecting the City of Hamilton

*1st Reading*

February 13th, 1951

*2nd Reading*

*3rd Reading*

MR. EASTON

*(Reprinted for consideration by the  
Committee on Private Bills)*

No. 19

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Hamilton

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MR. EASTON

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



No. 19

1951

# BILL

## An Act respecting the City of Hamilton

**W**HEREAS the Corporation of the City of Hamilton Preamble.  
by its petition has prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.**—(1) Subject to the approval of the Ontario Municipal By-laws re.  
Board, the council of the Corporation of the City of Hamilton  
may pass by-laws,

- (a) for amending and revising from time to time By-law revising  
No. 4797 To Regulate the Erection and Provide for building  
the Safety of Buildings, and By-law No. 4798 regulations;  
Respecting Conditions Which May Be or Become  
Injurious to Health, both of which by-laws were  
passed on the 29th day of September, 1936, and  
which, as amended respectively by By-laws Nos. 4866  
and 4867 passed on the 26th day of October, 1937,  
and as confirmed by By-law No. 4868 passed on the  
26th day of October, 1937, were validated by Ontario  
Municipal Board Order No. P.F. A-6698 & (a),  
dated the 20th day of October, 1937, pursuant to  
the provisions of *The City of Hamilton Act, 1937*; 1937, c. 91.  
always provided, that no requirement of any such  
by-law shall be so construed as to contravene or  
suspend any requirement of any applicable provincial  
Act or regulation;
- (b) for regulating, in any such amending or revising regulating  
of said By-law No. 4797, all matters relating to the construction  
design, erection, alteration, demolition, removal, etc., for  
maintenance and use of buildings and structures, abatement  
and the use of land, and the design, construction, of unsafe  
installation, alteration, maintenance and use of all conditions,  
equipment, facilities, matters and things, for the and of  
better protection of persons and property from smoke, etc.;

unsafe conditions as regards danger from fire or risk of accident, and also for the better protection of persons and property from nuisances as regards the emission or escape to the open air from any fuel-burning or refuse-burning equipment of smoke, soot, dust, fly-ash, fumes or other products of combustion;

regulating  
construction,  
etc., for  
protection  
of health;

- (c) for regulating, in any such amending or revising of said By-law No. 4798, all matters relating to the design, erection, alteration, demolition, removal, maintenance and use of buildings and structures, and the use of land, and the design, construction, installation, alteration, maintenance and use of all equipment, facilities, matters and things, for the better protection of persons from conditions that may be or become injurious to health;

checking of  
plans by  
F.P.O.;

- (d) for providing that the Chief Fire Prevention Officer shall check, at the offices of the Building Commissioner, applications for building permits or occupancy permits, together with all plans, specifications and other material filed therewith;

Provided that this provision shall not apply to applications for permits,

- (i) for the erection of a one-family dwelling or two-family dwelling, or for any work in connection therewith,
- (ii) for the erection of a one-storey building the proposed use of which is not one which is hazardous within the meaning of any such by-law, or
- (iii) for any other work as may be specified in any such by-law;

communicat-  
ing objec-  
tions to  
Building  
Commis-  
sioner

- (e) for providing that the Building Commissioner shall remain responsible for plan-examining with respect to the requirements provided for all construction and installation in every such by-law, and for the issue of building permits and occupancy permits, but that whenever the Chief Fire Prevention Officer, upon checking applications for building permits or occupancy permits, and the plans and other material filed therewith, is of opinion that,

- (i) the use or uses to which the whole or part or parts of the premises are to be put, or

- (ii) the proposed means of egress, or
- (iii) the proposed standpipe or standpipes, sprinkler system or other fire-fighting equipment, or
- (iv) the proposed smoke-pipes or other heating or fuel-burning equipment, or
- (v) any other matter or thing as it may be his duty to check, under the specific provisions of the by-law,

would, if the permit were issued, be likely to result in an unsafe condition as regards danger from fire, for the abatement of which he may be authorized to issue orders pursuant to the provisions of any such by-law or of other applicable legislation, then the Chief Fire Prevention Officer may communicate his views in writing to the Building Commissioner;

- (f) for authorizing the Chief Fire Prevention Officer, <sup>powers of Chief Fire Prevention Officer to order abatement of fire hazards;</sup> instead of the Building Commissioner as formerly, to exercise all the powers provided in said By-law No. 4797 and in amendments and revisions thereof, for the abatement of unsafe conditions as regards danger from fire, whether by requiring the installation or erection of fire escapes or other work of construction, the installing of fire extinguishers or other equipment, the removal of combustible debris, the prevention of overcrowding, or the abatement of any other unsafe conditions as regards danger from fire, but always reserving to the Building Commissioner the exercise of all powers provided for the abatement of unsafe conditions as regards risk of accident other than danger from fire, whether by reason of lack of sufficient strength of walls or floors, the overloading of floors or otherwise, and similarly reserving to the Building Commissioner the duty and power of enforcement of all provisions of said By-laws Nos. 4797 and 4798 and amendments or revisions thereof, relating to construction, and all his other duties and powers under said by-laws save as varied by this Act;
- (g) for providing that any order, decision, notice or <sup>substitutional service of notices, etc.,</sup> other communication of the Building Commissioner, Chief Fire Prevention Officer or Medical Officer of Health, authorized by By-law No. 4797 or By-law No. 4798, or by any other such by-law as mentioned in this section, may, when the person to whom the same is addressed does not reside within the City of Hamilton or cannot by reasonable diligence be found

for the purpose of making personal service upon him, be served, either by serving a true copy thereof upon any grown-up person on the premises to which such order, notice or other communication relates, or by posting the same up in a conspicuous place on the premises, and, in addition to either of the foregoing, sending a true copy thereof to such person by registered mail, addressed to him at his last known address according to the last revised assessment roll, or, if not on the last revised assessment roll, then at General Delivery, Hamilton; and whenever any such communication is addressed to the occupier, a copy shall be served upon or sent to the owner also in the manner hereinbefore provided;

permitting  
minor  
deviations;

- (h) for authorizing the Building Commissioner to permit in special cases, such minor deviations from the requirements of any such by-law as may in his judgment be warranted, provided the general purpose of the by-law is preserved;

And provided further, that no such minor deviation shall be permitted without the consent in writing of the Medical Officer of Health in the case of requirements relating to matters of health, or without the consent in writing of the Chief Fire Prevention Officer in the case of requirements relating to unsafe conditions as regards danger from fire, or without the consent in writing of the Chief Smoke Inspector in the case of requirements involving the question of abatement of the emission or escape to the open air of smoke, dust, fly-ash or other products of combustion;

delegation  
of duties;

- (i) for authorizing the Building Commissioner, Chief Fire Prevention Officer and Medical Officer of Health to delegate such of his duties and powers to such of his assistants or inspectors as from time to time may be necessary or desirable;

persons  
liable;

- (j) for providing that every person, who shall cause, permit or suffer any violation of any such by-law, or of any lawful order of the Building Commissioner, Chief Fire Prevention Officer or Medical Officer of Health pursuant to any such by-law, either as owner, occupier, manager, superintendent, agent, installer, mechanic, repairman, janitor or otherwise, shall be severally liable upon conviction to the penalties provided for breaches of any such by-law;



- (k) for providing that every day of default of compliance with any provision of any such by-law or with any such lawful order shall constitute a separate offence; <sup>each day of default a separate offence;</sup>
- (l) for providing, wherever an owner, occupier or other person, is convicted for failure to comply with any lawful order of the Building Commissioner or the Chief Fire Prevention Officer, that the Building Commissioner or Chief Fire Prevention Officer, as the case may be, may, on order of a court or justice as provided in subsection 4, <sup>powers upon default of compliance;</sup>
- (i) enter upon the premises and take such steps as may be necessary to make the building or structure in question sufficiently safe, or to make safe any unsafe condition, or
- (ii) enter upon the premises, and, when in his opinion such action is warranted, pull down any building or structure or part thereof which, by reason of its ruinous or dilapidated state, faulty construction or otherwise, is in an unsafe condition as regards danger from fire or risk of accident,

and for providing that the amount of cost and expenses of any such work done or caused to be done by the Building Commissioner or the Chief Fire Prevention Officer shall be entered on the tax collector's roll and collected in like manner as municipal taxes are collected;

- (m) for appointing a Committee of Safety to advise and assist the City Council and the Building Commissioner with respect to the requirements or proposed requirements of any such by-law, with a view to prevent, so far as may be both practicable and reasonable, the creation of unsafe conditions as regards danger from fire or risk of accident, and for authorizing the Committee of Safety to hear and determine appeals from orders or decisions of the Building Commissioner for the abatement of unsafe conditions as regards risk of accident, and from decisions of the Building Commissioner or Chief Fire Prevention Officer to refuse to permit minor deviations from the requirements of the by-law, and to perform such other duties as may be specified for the better carrying out of any such by-law relating to any of the matters mentioned in this section, and for prescribing the qualifications, manner of <sup>Committee of Safety;</sup> <sup>appeals to Committee;</sup>

appointment, and term of office of members of the Committee of Safety, the number constituting a quorum, and the procedure on appeals;

Provided that all such appeals shall be only from orders issued under any discretionary authority, and that there shall be no right of appeal from any order which does not require any work of construction, installation, demolition or removal of any building, structure, equipment or part thereof;

fees on  
appeal;

- (n) for charging and fixing the amount of the fees to be paid upon the filing of a notice of appeal to the Committee of Safety from any order or decision as aforesaid, without the payment of which fees no appointment for the hearing of any such appeal need be given;

appeal to  
county  
judge;

- (o) for providing for appeals from orders or decisions of the Committee of Safety to a county judge, in a manner similar to that found in those provisions of *The Fire Marshals Act* respecting appeals to a county judge; and

Rev. Stat.,  
c. 140.

appeals from  
orders of  
F.P.O.

- (p) for providing that all orders issued under any discretionary authority of the Chief Fire Prevention Officer for the abatement of unsafe conditions as regards danger from fire other than orders for the removal of combustible debris or other orders which do not require any work of construction, installation, demolition or removal of any building, structure, equipment or part thereof, may be appealed to the Ontario Fire Marshal, and from the decision of the Ontario Fire Marshal to the judge of the county court of the County of Wentworth, in the same manner as provided for by *The Fire Marshals Act* with respect to appeals from orders of an assistant to the Ontario Fire Marshal.

Interpreta-  
tion.

Rev. Stat.,  
c. 306.

- (2) For the purposes of this section, "owner" and "occupier" have the meanings provided in *The Public Health Act*.

Certified  
copies—  
evidence.

- (3) A copy of any decision or order of the Committee of Safety purporting to be certified by the chairman or acting chairman as a true copy shall be received in evidence without proof of signature.

Penalties.

- (4) Every person who contravenes any provision of any such by-law or fails to comply with any lawful order of the Building Commissioner, Chief Fire Prevention Officer or

Medical Officer of Health shall be liable, upon conviction, to a penalty of not more than \$50 for each offence, which penalties shall be recoverable under *The Summary Convictions Act*,<sup>Rev. Stat., c. 379.</sup> and, in addition, wherever any such offence consists of failure by an owner or occupier of premises to comply with the requirements of any such by-law or of any such lawful order with respect to the premises of which he is the owner or occupier, the court or justice may order the premises closed until there is compliance with the requirements of the by-law or of any such lawful order, or may order that the work may be done at the expense of the owner or occupier as provided in clause 1 of subsection 1.

(5) Whenever any by-law, decision or order herein referred to is contravened, in addition to any penalty imposed, such contravention may be restrained by action<sup>Restraint by action.</sup> at the instance of the Corporation.

2.—(1) The council of the Corporation of the City of Hamilton may pass by-laws,<sup>By-laws re.</sup>

- (a) for inspecting upon completion, all work of erection, installation, alteration or repair of all fuel-burning equipment for which a building permit has been issued pursuant to any by-law regulating the erection and providing for the safety of buildings, and for the issuing of an operation permit certifying that the work complies with requirements, without which operation permit no such fuel-burning equipment shall be operated, save as hereinafter otherwise provided in this section;<sup>inspection of fuel-burning equipment;</sup>
- (b) for prohibiting, save as hereinafter otherwise provided in this section, the operation of any fuel-burning equipment for which no operation permit has been issued, or with respect to which the operation permit has been revoked, and, for the purpose of this provision, an operation permit shall be deemed to have been issued for all fuel-burning equipment that was in operation upon or prior to the date of the coming into effect of the by-law;<sup>prohibition without operation permit;</sup>
- (c) for regulating and controlling the emission or escape to the open air of smoke and other gaseous or solid products of combustion from all furnaces, boilers, incinerators, refuse-burning equipment, tar-kettles, power shovels, internal combustion engines and all other fuel-burning equipment and open fires, and for prohibiting, except to such a degree and for such period or periods of time as the by-law may provide,<sup>prohibiting excessive smoke, etc.:</sup>

the emission or escape to the open air of smoke and of other gaseous or solid products of combustion, and for prohibiting air pollution or the deposit of dust, fly-ash, cinders, soot or other products of combustion in a manner or to an extent or degree that may be or become injurious to the health, comfort, real or personal property, or to the general welfare of the residents of the City of Hamilton or any of them, and for prohibiting such or suchlike nuisances of a similar nature as may be specifically provided in any such by-law, and for defining the words "air pollution", "cinders", "density", "dust", "fly-ash", "fumes", "good practice", "nuisance", "occupier", "owner", "smoke" and "soot";

Smoke  
Inspector,  
powers;

- (d) for appointing a Chief Smoke Inspector to administer the provisions of any such by-law, and for authorizing him and his assistants to enter at all reasonable times upon any property in order to ascertain whether any such by-law is being complied with, and for authorizing him to prosecute breaches of such provisions and to take any other proceedings for their enforcement as may be lawfully authorized, and for authorizing him to require the making of such tests of, or alterations in the manner of operating, any fuel-burning equipment, or, with the approval of an Advisory Committee as hereinafter provided for, to require the alteration of any fuel-burning equipment or the installation in connection therewith of such dust-separating equipment, smoke indicators or other devices, facilities or equipment as may in his opinion be required for the purpose of abating the emission or escape of smoke or other gaseous or solid products of combustion, or of recording its degree of density;

permitting  
minor  
deviations;

- (e) for authorizing the Chief Smoke Inspector to permit in his discretion, minor deviations from the requirements of any such by-law or other by-law regulating the installation, alteration or repair of fuel-burning equipment, so far as regards the abatement of smoke or other products of combustion, so long as the general purpose of the by-law is preserved, and for authorizing him to delegate to any assistant from time to time, such of his duties and powers as may be necessary or desirable;

delegation  
of powers;

nuisances  
arising out-  
side the city;

- (f) for authorizing the Chief Smoke Inspector to take any measures or proceedings under any such by-law, with respect to any condition arising less than half a mile outside the City of Hamilton, which would be a contravention of the by-law if within the City, with

the same incidents and consequences as if the same occurred wholly within the City of Hamilton, provided that the Advisory Committee is of opinion that such condition is of concern to the residents of the City of Hamilton or any of them, and gives its approval to the taking of such measures or proceedings;

- (g) for providing that whenever any building or structure is erected that adversely affects the draft of a previously-erected stack or chimney to such an extent as to prevent its efficient functioning, or as to create a nuisance, or whenever the emissions from such stack or chimney constitute a nuisance to the occupants of any such subsequently-erected building or structure such condition shall be corrected, either by increasing the height of such stack or chimney, or otherwise by executing such works and doing such things as may be necessary for the purpose, and that such works shall be done by the owner of the stack or chimney, and that the cost and expenses of so doing, to the extent necessary for the purpose, may be recovered by him in any court of competent jurisdiction, as a debt due and payable by the owner of such aforesaid building or structure; nuisances arising on account of new building;
- (h) for requiring persons engaged in the selling or leasing of any equipment mentioned in this section, to report particulars to the Building Commissioner within ten days after every such sale or lease; dealers to report sales;
- (i) for providing that every person, who shall cause, permit or suffer any violation of any such by-law, or of any lawful order of the Chief Smoke Inspector, either as owner, occupier, manager, superintendent, engineer, agent, installer, mechanic, fireman, repairman, janitor or otherwise, shall be severally liable upon conviction, to the penalties provided for breaches of the by-law; persons liable;
- (j) for appointing an Advisory Committee to advise and assist the Chief Smoke Inspector and the city council in matters concerning the abatement of the emission or escape of smoke and other gaseous or solid products of combustion, and to hear and determine appeals from orders or decisions of the Chief Smoke Inspector, including refusals to permit minor deviations from requirements, and to perform such other duties as may be specified for the better carrying out of the provisions of any such by-law, and for prescribing the qualifications, manner of Advisory Committee, appeals to.

appointment and term of office of members of the Committee, the number constituting a quorum, and the procedure on appeals;

fees on  
appeal;

- (k) for charging and fixing the amount of the fees to be paid upon the filing of a notice of appealing to the Advisory Committee from any order or decision of the Chief Smoke Inspector, without the payment of which fees no appointment for the hearing of any such appeal need be given;

appeals to  
county  
judge;

- (l) for providing for appeals in certain circumstances from orders or decisions of the Advisory Committee to a county judge, in a manner similar to that found in those provisions of *The Fire Marshals Act* respecting appeals to a county judge;

Rev. Stat.,  
c. 140.

penalties.

- (m) for imposing penalties for non-compliance with any provision of any such by-law or with any lawful order of the Chief Smoke Inspector, and for providing that every day of default of compliance with any provision of any such by-law or with any such lawful order shall constitute a separate offence, and that all such penalties shall be recoverable under *The Summary Convictions Act*.

Rev. Stat.,  
c. 379.

Evidence.

- (2) A copy of any decision or order of the Advisory Committee purporting to be certified by the chairman or acting chairman as a true copy shall be received in evidence without proof of signature, and every smoke chart or smoke comparator provided for measuring density shall also be deemed in evidence to conform to the specifications provided in any such by-law, unless the contrary is shown, and the readings from every smoke indicator installed pursuant to the provisions of any such by-law shall also be received as *prima facie* evidence of facts recorded.

Restraint  
by action.

- (3) Whenever any by-law, decision or order herein referred to is contravened, in addition to any penalty imposed, such contravention may be restrained by action at the instance of the Corporation.

Exemptions  
for domestic  
equipment,  
etc.

- (4) Those provisions of any such by-law as may be passed in exercise of any authority contained in clause *a*, *b* or *f* of subsection 1 shall not apply to any fuel-burning equipment for the service of a one, two or three-family dwelling only, or for similar purposes in commercial establishments of approximately similar size.

Further  
exemptions.

- (5) Subject to subsections 6 to 10, no by-law passed under this section shall apply to any apparatus, device, mechanism

or structures referred to in this section on premises which, on the day upon which this Act comes into force, are used for the reduction, refining or smelting of ores or minerals or the manufacturing of cement, brick or tiles, so long as the premises continue to be used for such purposes.

(6) The council may serve by registered mail upon any <sup>Notice.</sup> person exempt by subsection 5 from the provisions of a by-law passed under this section a notice of intention to make such person subject to the provisions of such a by-law upon such terms and conditions as are set out in the notice.

(7) Unless within thirty days of the mailing of such notice <sup>Time limit for objections.</sup> the person affected by the notice files with the clerk of the municipality a statement of objections, such person shall be subject to any such by-law to the extent set out in the notice.

(8) Upon service of a statement of objections upon the <sup>Hearing.</sup> clerk of the municipality within the said thirty days, the council shall itself or by committee or by the Advisory Committee referred to in clause *k* of subsection 1, hold a hearing and shall serve a copy of the decision reached upon the person affected and unless that person appeals in accordance with subsection 9, he shall be subject to the by-law to the extent set out in such decision.

(9) Within thirty days of the service of a decision under <sup>Appeal.</sup> subsection 8, the persons affected may serve notice of appeal to the Ontario Municipal Board on the clerk of the municipality and the secretary of the Board, and the Board shall hear the appeal and may dismiss the appeal or make an order that the person affected shall not be subject to the by-law or shall be subject to the by-law to the extent set out in the order.

(10) The hearing of the appeal shall be a hearing *de novo*, <sup>Municipal Board order final.</sup> and the order of the Board shall be final and binding upon the person affected and the municipality.

**3.—**(1) Subject to the approval of the Ontario Municipal <sup>Building lines.</sup> Board, the council of the Corporation of the City of Hamilton may pass by-laws, as a preliminary step to the widening of any highway or part thereof, for prescribing the distance from the limits thereof, within which no building or structure or part thereof may be erected, and for prohibiting the erection of any building or structure or part thereof closer to the limit of such highway or part thereof than the distance fixed by the by-law, and for the purposes of this section the word "highway" includes a "street" as defined in *The* <sup>Rev. Stat., c. 215.</sup> *Local Improvement Act*.

Distance  
from street.

(2) The building line fixed by any by-law passed under this section shall not be distant more than twenty feet from the limits of the street or highway;

Rev. Stat.,  
c. 277.

Provided, that wherever any by-law passed under this section is a preliminary step to the widening of a street or highway in accordance with an official plan within the meaning of *The Planning Act*, or whenever it is necessary or advisable in the interests of the appearance or utility of any street or highway, the Municipal Board may authorize the fixing of the building line or any part or parts of it, at a distance of more than twenty feet from the limits of the street or highway, and such distance need not be a uniform distance from such limits;

And provided further, that wherever the distance from the street or highway of any such building line is not uniform, a plan or plans prepared by an Ontario land surveyor showing the position of the building line in relation to the limits of the street or highway abutting upon the various lots or parcels of land affected, shall be attached to the by-law and registered in the registry office for the Registry Division of Wentworth, and a notation shall be entered by the registrar in the abstract of every lot or parcel of land affected;

And provided further, that a copy of the pertinent plan or portion thereof, showing to what extent the owner's lands are affected, is sent by registered mail within ten days after the approval of the by-law by the Ontario Municipal Board, to the owners of all lots and parcels of land affected, addressed to such owners at their addresses according to the last revised assessment roll.

Leave of  
Board  
required.

(3) A by-law passed under this section shall not be amended or repealed except by leave of said Board and upon such terms as the Board may determine.

Exception,  
one-storey  
buildings.

(4) A by-law passed under this section shall not take effect until it is approved by the Ontario Municipal Board, and when so approved shall not prevent the erection closer to the highway than the distance fixed by the by-law, of a one-storey building of such temporary character, in conformity with existing building and zoning by-laws, as may be reasonable.

Compulsory  
street  
widening.

(5) After such a by-law has been passed and approved by the Ontario Municipal Board, it shall be the duty of the Corporation to acquire or expropriate the land on that side of the street or highway lying between the limit thereof and the building line fixed by the by-law in any portion of such street or highway lying between two intersecting streets,



- (a) when three-fourths of the land fronting and abutting on such portion has become occupied by buildings built to conform to the building line fixed by the by-law; or
- (b) at any time after the expiration of ten years from the date of the by-law upon petition in writing of the majority of the owners of property affected by the by-law in any such portion.

(6) Where any owner of land clears that part thereof lying between the limit of the street or highway and the building line fixed by the by-law and offers to convey such part to the Corporation, the Corporation shall accept such conveyance and shall be liable for compensation to the owner or the persons entitled thereto to the same extent as if the by-law had been passed to widen the street or highway. Compensation when land cleared.

(7) In determining the compensation payable by the Corporation for the taking of lands for the widening of a portion of a street or highway in respect to which a building line has been fixed under this section, the Corporation shall not be liable to pay compensation for or in respect to any building erected in contravention of the by-law fixing the building line. Limitation of compensation.

(8) Notwithstanding anything to the contrary in any other Act, and except as provided in subsection 6, the Corporation shall not be liable to pay any compensation or damages by reason of having passed a by-law under this section. No claims for damages, etc.

4. Subject to the approval of the Ontario Municipal Board and the provisions of section 390 of *The Municipal Act*, the council of the Corporation of the City of Hamilton may pass by-laws for requiring the owners or occupants of buildings or structures to be erected or used for any purpose named in the by-law, to provide and maintain parking facilities on land that is not part of a highway, in addition to the other powers already contained in said section 390. To require off-street parking facilities. Rev. Stat., c. 243.

5. The council of the Corporation of the City of Hamilton may pass by-laws, By-laws re.

- (a) for providing that all moneys received from the use of parking meters and all fines recovered for parking offences shall be credited to a special fund which may be known and referred to as the "Parking Fund"; establishing "Parking Fund";

expenses to  
be charged  
against  
Fund;

- (b) for providing that the cost and expenses of purchasing and maintaining parking meters shall be paid out of the Parking Fund, including salaries of employees and police constables to the extent that their time may be chargeable to collection of such fines and otherwise in connection with the enforcement of such by-law provisions relating to parking, as may from time to time be approved by the city council;

improving  
parking  
facilities;

- (c) for providing that all moneys remaining in the Parking Fund shall be used only for the regulation of traffic and the improvement of traffic conditions and parking facilities, including the purchase of lands for use as parking lots either under lease from the Corporation or operated by the Corporation as the council may from time to time decide; and

operating  
parking  
lots, etc.

- (d) for acquiring lands by lease or purchase, or by expropriation proceedings or otherwise, for the purpose of parking lots or parking stations, and for operating parking lots or parking stations, or for leasing to other persons any lands of the Corporation for such purpose, upon such terms as the council with the approval of the Department of Highways may determine.

By-law and  
agreement  
confirmed.

**6.** By-law No. 6698 of the Corporation of the City of Hamilton dated the 27th day of February, 1951, and the Agreement scheduled thereto both set forth as the Schedule hereto are confirmed and declared to be legal, valid and binding in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act, and the said Corporation is hereby authorized and empowered to pass such other by-laws, to enter into such other agreements, and to do all such other acts, matters and things as may be deemed necessary by the said Corporation for the full and proper carrying out of the provisions of the said Agreement.

Commence-  
ment.

**7.** This act shall come into force on the day it receives the Royal Assent.

Short title.

**8.** This Act may be cited as *The City of Hamilton Act, 1951*.

## SCHEDULE

BY-LAW No. 6698

To Authorize the Execution of an Agreement between The Corporation of the City of Hamilton and The Hamilton Street Railway Company.

The Council of The Corporation of the City of Hamilton enacts as follows:—

1. That the Agreement dated the 28th day of February, 1951 between The Corporation of the City of Hamilton of the first part and The Hamilton Street Railway Company of the second part a copy whereof is set out in schedule A to this By-law is hereby adopted, approved, ratified and confirmed.

2. The Mayor and the Clerk of the said Corporation are hereby authorized and directed to execute the said Agreement on behalf of the said Corporation and to affix the Corporate Seal thereto.

PASSED this 27th day of February, A.D. 1951.

J. F. BERRY,  
*City Clerk.*

L. D. JACKSON,  
*Mayor.*

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*Schedule "A"*

THIS AGREEMENT, made the 28th day of February, 1951.

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON (hereinafter called the "City"),

OF THE FIRST PART,

—and—

THE HAMILTON STREET RAILWAY COMPANY (hereinafter called the "Company"),

OF THE SECOND PART.

WHEREAS the Company has an exclusive franchise to construct, complete, maintain and operate within the limits of the City as such limits may be from time to time a transportation system;

AND WHEREAS the Company has agreed with the City to provide a modern and efficient transportation system;

AND WHEREAS the Company owns and operates a transportation system in the City consisting of street car, motor bus and trolley coach services;

AND WHEREAS in connection with such transportation system the City passed certain By-laws more particularly By-laws Numbers 624 in 1892, 3336 in 1926, 5124 in 1940 and 6454 in 1949 and entered into certain Agreements with the Company, more particularly those dated or made the 26th day of March, 1892, the 25th day of May, 1926, the 3rd day of July, 1940, and the 25th day of October, 1949;

AND WHEREAS by the terms of Section 9 of the said Agreement dated the 25th day of May, 1926, the Company is required to pay as therein provided, to the City, quarterly, four per centum (4%) of its gross receipts;

AND WHEREAS due to changed conditions including increased financial requirements of the Company for the purchase of equipment and generally increased labour and material costs, it is now in the best interests of both the City and the Company to discontinue such payments;

AND WHEREAS the Company has undertaken to provide certain services and make certain payments as more particularly set out herein;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises the parties hereto have agreed as follows:—

1. The payments by the Company to the City provided for by Section 9 of the said Agreement dated the 25th day of May, 1926 (approved and authorized by said By-law No. 3336) shall be discontinued as and from the 1st day of January, 1951.

2. All words and paragraphs in the said Section 9 of the said Agreement following the words in the third line "shall be repealed" are struck out and repealed and shall have no further force or effect on and after the 1st day of January, 1951, and as from the said date the said Section 9 shall be deemed to read as follows:—

"9. The payments by the Company to the City provided for by Sections 23 and 24 of said By-law No. 624 shall be discontinued and said sections shall be repealed."

3. The Company shall:

- (a) Discontinue on or before the 31st day of May, 1951, the operation of street cars on all routes presently served thereby and shall provide service by motor buses in substitution therefor;
- (b) Establish and operate on or before the 31st day of December, 1951, a trolley coach service in the general area now served by street cars on what is now known as the Belt Line Route with the exception of Kenilworth Avenue, between Barton Street and Main Street East;
- (c) Provide and operate, when required by and as the agent of the City, three pieces of snow-clearing equipment on the routes of the Company and shall provide the necessary personnel for such operation, provided that the City shall reimburse the Company for all wages and other remuneration and expenses paid for such operation to or for the operators of such equipment.

4. The removal of rails and the laying of new pavement where rails have been removed, referred to in paragraph 6 of the said Agreement dated the 3rd day of July, 1940 (confirmed by said By-law No. 5124), shall be carried out and the Company's share of the cost thereof, described in said paragraph 6 shall be paid by the Company to the City, as follows:

- (a) The City shall carry out and be responsible for all such removals and new pavements and shall determine the times and priorities for the commencement and completion thereof, provided that all removals and new pavements on the Belt Line Route designated by the Company as necessary for trolley coach service shall be completed in good time to permit the Company to provide the trolley coach service referred to in paragraph 3 (b) hereof;
- (b) The Company shall pay to the City its share of the total cost of such removals and new pavements, as set forth in said paragraph 6 of the said Agreement dated the 3rd day of July, 1940, in five equal annual instalments commencing in the year 1951, provided that if in any year the Company's share of the total cost of such removals and new pavements undertaken and completed in that year exceeds the total of the Company's instalment for that year plus the unexpended balance (if any) of its prior annual instalments, the Company shall pay in that year the amount of such excess. Any payments by the Company in excess of the normal annual instalments shall be credited against future payments by the Company and the Company shall not be required to pay more than its said share, as herein determined, of the said total cost.
- (c) The City and the Company shall set up a Committee of qualified persons representing both the City and the Company which

Committee shall examine and agree on the total cost of all such removals and new pavements and the respective shares of such total cost to be borne by the City and by the Company. In the event that the said Committee cannot agree by the 31st day of May, 1951, as to both such total cost and the share of the Company, notwithstanding anything herein contained, the provisions of said paragraph 6 of the Agreement dated the 3rd day of July, 1940, shall govern such removals and new pavements and the payment of the cost thereof, without any amendment or change.

5. The Company shall not be responsible or held to be in default for any matter arising hereunder for causes beyond its control.

6. This Agreement is in amendment of all the By-laws and Agreements referred to herein, more particularly By-laws Numbers 624, 3336, 5124 and 6454 and the Agreements dated or made the 26th day of March, 1892, the 25th day of May, 1926, the 3rd day of July, 1940, and the 25th day of October, 1949, and the said By-laws and Agreements, so far as they are in force, shall, subject as herein modified, remain in full force and effect.

7. The parties hereto agree to join and co-operate in applying to the Legislature of the Province of Ontario immediately following the execution of this Agreement for legislation confirming and ratifying this Agreement and declaring the same to be valid, legal and binding upon the parties hereto.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed by their duly authorized officers and have affixed hereto their respective corporate seals.

SIGNED, SEALED AND DELIVERED

Approved,

A. J. POLSON,  
*City Solicitor.*

THE CORPORATION OF THE CITY OF  
HAMILTON

L. D. JACKSON,  
*Mayor.*

[Seal]

W. E. GRIFFIN,  
*Deputy City Clerk.*

THE HAMILTON STREET RAILWAY  
COMPANY

FRANCIS FARWELL,  
*President.*

J. J. WALL,  
*Secretary.*

[Seal]

BILL

An Act respecting the City of Hamilton

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*1st Reading*

February 13th, 1951

*2nd Reading*

March 12th, 1951

*3rd Reading*

March 14th, 1951

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Mr. EASTON

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No. 20

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting The Windsor Utilities Commission

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MR. ELLIS

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





No. 20

1951

# BILL

## An Act respecting The Windsor Utilities Commission

**W**HEREAS The Windsor Utilities Commission by its Preamble. petition has represented that it was incorporated by *The City of Windsor (Amalgamation) Act, 1935*; and whereas 1935, c. 74. the petitioner has prayed that the Commission be authorized to grant retiring allowances to such of its employees as are not eligible for pension under its existing pension plan; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Windsor Utilities Commission may provide for the payment of and may pay retiring allowances to such of its present or future employees as are not included in the existing pension plan to the same extent as it would have provided and paid under the existing pension plan in respect of such employees if they had been included therein.

2. For the purposes of section 1, the Commission shall pay into a fund to be known as the "Retirement Account" the sum of \$30,344.53 from its reserves in respect of the Hydro Division thereof, and the sum of \$5,265.93 from its reserves in respect of the Water Division thereof, which sums aggregate the amount which the Commission would have paid prior to the 31st day of December, 1950, in respect of employees not included in the existing pension plan if they had been included therein.

3. The Schedule hereto is hereby confirmed and declared to be legal, valid and binding in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act.

4. This Act shall be deemed to have come into force on the 1st day of January, 1951.

5. This Act may be cited as *The Windsor Utilities Commission Act, 1951*.

## SCHEDULE

A Plan for the payment of retiring allowances to present and future employees of The Windsor Utilities Commission who are not included in the existing pension plan.

1. From the reserves of the Commission in respect of its Hydro Division the sum of \$30,344.53 shall be forthwith paid into a special fund to be designated as "Retirement Account", and from its reserves in respect of its Water Division the sum of \$5,265.93 shall be likewise paid into such fund.

2. The sums set forth in Clause 1 are the amounts which the Commission would have contributed prior to December 31st, 1950, to the existing pension plan for Hydro Division and Water Division employees respectively who are not included in the said plan if they had been so included for the duration of their employment.

3. Commencing with the month of January, 1951, the Commission shall pay monthly into the "Retirement Account" an amount equal to  $7\frac{1}{2}$  per cent of the then current monthly wage of each of the aforesaid employees and of employees hereafter employed by the Commission who are not eligible for pension under the existing pension plan, from whose monthly wages the Commission shall make a deduction of  $6\frac{1}{2}$  per cent or such greater percentage as the employee may authorize, which shall be paid into the "Retirement Account".

4. Should the Commission's rate of contribution to the existing pension plan be varied then coincidentally its rate of contribution to the "Retirement Account" will be varied accordingly.

5. Upon the retirement of any employee for whom provision is made herein, the contribution to the "Retirement Account" made by such employee will be returned to him in the form of 60 equal monthly payments or such greater number of equal monthly payments as may be agreed upon between the Commission and the employee, and the contribution to the "Retirement Account" made by the Commission on his behalf will be paid to him in 144 equal monthly payments; provided however that should such employee die before all payments as herein provided have been made a sum equal to the amount of his own contributions only, less the portion thereof repaid to him in monthly payments, shall be paid to his heirs, executors or administrators, and any portion of the Commission's contribution to the "Retirement Account" not paid to the employee shall become the property of the Commission.

6. Upon the death or termination of employment prior to retirement of any employee for whom provision is made herein, the amount of his contributions only shall be paid to him or his heirs, executors or administrators, and in that event or on the termination of retiring allowance payments in respect of such employee after retirement, the Commission shall be entitled to apply the undistributed sum contributed by it on behalf of such employee in reduction of its then current contribution in respect of other employees for whom provision is made herein.

7. The "Retirement Account" herein referred to shall be administered by the Commission.







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BILL  
An Act respecting The Windsor  
Utilities Commission

---

*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. ELLIS

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*(Private Bill)*

No. 20

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act respecting The Windsor Utilities Commission**

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MR. ELLIS

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No. 20

1951

# BILL

## An Act respecting The Windsor Utilities Commission

**W**HEREAS The Windsor Utilities Commission by its Preamble. petition has represented that it was incorporated by *The City of Windsor (Amalgamation) Act, 1935*; and whereas 1935, c. 74. the petitioner has prayed that the Commission be authorized to grant retiring allowances to such of its employees as are not eligible for pension under its existing pension plan; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Windsor Utilities Commission may provide for the Retiring allowances. payment of and may pay retiring allowances to such of its present or future employees as are not included in the existing pension plan to the same extent as it would have provided and paid under the existing pension plan in respect of such employees if they had been included therein.

2. For the purposes of section 1, the Commission shall Initial contribution by Commission. pay into a fund to be known as the "Retirement Account" the sum of \$30,344.53 from its reserves in respect of the Hydro Division thereof, and the sum of \$5,265.93 from its reserves in respect of the Water Division thereof, which sums aggregate the amount which the Commission would have paid prior to the 31st day of December, 1950, in respect of employees not included in the existing pension plan if they had been included therein.

3. The Schedule hereto is hereby confirmed and declared Schedule confirmed. to be legal, valid and binding in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act.

4. This Act shall be deemed to have come into force on the Commence-ment. 1st day of January, 1951.

5. This Act may be cited as *The Windsor Utilities Com-Short title. mission Act, 1951.*

## SCHEDULE

A Plan for the payment of retiring allowances to present and future employees of The Windsor Utilities Commission who are not included in the existing pension plan.

1. From the reserves of the Commission in respect of its Hydro Division the sum of \$30,344.53 shall be forthwith paid into a special fund to be designated as "Retirement Account", and from its reserves in respect of its Water Division the sum of \$5,265.93 shall be likewise paid into such fund.

2. The sums set forth in Clause 1 are the amounts which the Commission would have contributed prior to December 31st, 1950, to the existing pension plan for Hydro Division and Water Division employees respectively who are not included in the said plan if they had been so included for the duration of their employment.

3. Commencing with the month of January, 1951, the Commission shall pay monthly into the "Retirement Account" an amount equal to  $7\frac{1}{2}$  per cent of the then current monthly wage of each of the aforesaid employees and of employees hereafter employed by the Commission who are not eligible for pension under the existing pension plan, from whose monthly wages the Commission shall make a deduction of  $6\frac{1}{2}$  per cent or such greater percentage as the employee may authorize, which shall be paid into the "Retirement Account".

4. Should the Commission's rate of contribution to the existing pension plan be varied then coincidentally its rate of contribution to the "Retirement Account" will be varied accordingly.

5. Upon the retirement of any employee for whom provision is made herein, the contribution to the "Retirement Account" made by such employee will be returned to him in the form of 60 equal monthly payments or such greater number of equal monthly payments as may be agreed upon between the Commission and the employee, and the contribution to the "Retirement Account" made by the Commission on his behalf will be paid to him in 144 equal monthly payments; provided however that should such employee die before all payments as herein provided have been made a sum equal to the amount of his own contributions only, less the portion thereof repaid to him in monthly payments, shall be paid to his heirs, executors or administrators, and any portion of the Commission's contribution to the "Retirement Account" not paid to the employee shall become the property of the Commission.

6. Upon the death or termination of employment prior to retirement of any employee for whom provision is made herein, the amount of his contributions only shall be paid to him or his heirs, executors or administrators, and in that event or on the termination of retiring allowance payments in respect of such employee after retirement, the Commission shall be entitled to apply the undistributed sum contributed by it on behalf of such employee in reduction of its then current contribution in respect of other employees for whom provision is made herein.

7. The "Retirement Account" herein referred to shall be administered by the Commission.







BILL

An Act respecting The Windsor  
Utilities Commission

*1st Reading*

February 13th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

Mr. Ellis

No. 21

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act respecting the City of Belleville Bus Franchise**

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MR. SANDERCOCK

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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No. 21

1951

# BILL

## An Act respecting the City of Belleville Bus Franchise

**W**HEREAS Thomas Frederick Rawson by his petition Preamble.  
has represented that it is desirable to have confirmed  
By-law No. 6144, 1951, of the Corporation of the City of  
Belleville, and the agreement attached thereto, for the purpose  
of granting a franchise to the said Thomas Frederick Rawson  
to provide and operate a passenger transportation bus service  
within the limits of the City of Belleville; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.**—(1) By-law No. 6144, 1951, of the Corporation of the Bus franchise validated.  
City of Belleville, passed by the council thereof on the 8th  
day of January, 1951, being a by-law to grant a franchise  
to Thomas Frederick Rawson to provide and operate a  
passenger transportation bus service within the limits of the  
City of Belleville, set forth as the Schedule hereto, and the  
agreement set out in Schedule A to the by-law, are hereby  
confirmed and declared to be valid and binding upon the said  
Corporation and the ratepayers thereof and upon the said  
Thomas Frederick Rawson, and upon any other person or  
persons affected thereby.

(2) Nothing in the said by-law and agreement shall be Minister of Highways' powers not affected.  
construed as affecting the powers conferred on the Minister  
of Highways by *The Public Vehicles Act*.

Rev. Stat.,  
c. 322.

**2.** This Act may be cited as *The City of Belleville Bus Franchise Act, 1951*. Short title.

## SCHEDULE

## THE CORPORATION OF THE CITY OF BELLEVILLE

BY-LAW NUMBER 6144

- A By-law to authorize the entering into an Agreement with Thomas Frederick Rawson and the execution thereof granting the said Thomas Frederick Rawson an exclusive franchise to operate a bus line in the City of Belleville according to the terms and conditions of the said Agreement.

PASSED the 8th day of January, 1951.

WHEREAS it is deemed expedient by the Council of the Corporation of the City of Belleville and of benefit and convenience for the travelling public, an Agreement be entered into between the Corporation of the City of Belleville and Thomas Frederick Rawson granting him an exclusive franchise to operate a bus line in the City of Belleville according to the terms and conditions of the said Agreement attached hereto and marked as Schedule "A" to this by-law.

NOW THEREFORE, the Council of The Corporation of the City of Belleville hereby enacts as follows:

1. Said Agreement attached hereto and marked Schedule "A" to this by-law be and the same is hereby confirmed, and that the Mayor and Clerk be, and they are hereby authorized to execute the said Agreement and affix thereto the Corporate Seal.

2. This by-law shall come into force and take effect immediately upon Royal Assent being given to the Special Act of the Legislature for the Province of Ontario ratifying and confirming the said Agreement.

Read a first time this 8th day of January, 1951.

Read a second time this 8th day of January, 1951.

Read a third time and finally passed this 8th day of January, 1951.

R. T. POTTER,

*Mayor.*

J. WILFRED HOLMES,

*Clerk.*

(Seal)

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*Schedule A*

THIS AGREEMENT made this Eighth day of January, A.D. 1951.

BETWEEN:

THE CORPORATION OF THE CITY OF BELLEVILLE,  
hereinafter called the "Corporation",

OF THE FIRST PART,

—and—

THOMAS FREDERICK RAWSON, of the City of Belleville,  
in the County of Hastings, hereinafter called the  
"Operator",

OF THE SECOND PART.

WHEREAS the Operator has offered to provide and operate a bus service for the conveyance of passengers upon and over certain designated streets and routes within the limits of the Corporation upon the terms and conditions hereinafter set forth.

AND WHEREAS by by-law duly passed by the Municipal Council of the Corporation, the Mayor and Clerk of the Corporation have been authorized and directed to execute, seal and deliver this Agreement on behalf of the Corporation.

NOW THEREFORE THIS AGREEMENT WITNESSETH that for valuable consideration, the parties hereto covenant and agree as follows:

1. The Corporation hereby grants to the Operator the exclusive right, franchise and privilege for the full period of ten years from the 31st day of January, 1951, to operate a passenger transportation system, not including a street railway, and for such purpose to construct, maintain, lease, use, own and operate, buses and other vehicles operated by gasoline, electricity, (except when supplied by overhead wires), steam, air or other motive power, together with any rolling stock or equipment necessary and incidental thereto, to the extent and upon the terms mentioned and authorized in and by this Agreement, and for the said purpose to use, occupy and operate upon the designated streets of the Corporation and along the routes herein defined for a term of ten years.

2. In consideration of the exclusive right, franchise and privilege herein granted by the Corporation to the Operator, the Operator hereby covenants and agrees to pay to the Corporation the sum of Two Hundred Dollars (\$200.00) of lawful money of Canada per annum for each scheduled bus, there being presently six (6) scheduled buses in operation, the said sum being payable on the 31st day of March in each year, the first of such payments to become due and payable on the 31st day of March, 1951. Provided that at the end of five years from the 31st of January, 1951, and every five years thereafter, the parties hereto will re-negotiate the amount payable to the Corporation for each scheduled bus, and should the parties at any time fail to agree as to the amount payable, then the Corporation may at its option terminate the said franchise.

3. During the term of this Agreement, the Corporation shall not, without the consent of the Operator, grant or permit to be granted to any other person, partnership, company or corporation, any right, privilege, license or franchise to construct, maintain, use or operate, any lines of railway for local passenger traffic, or any bus or other similar vehicle for the purpose of transportation of passengers for gain or hire upon the designated streets or along the routes herein defined. Provided that this Section shall not apply to,

- (a) Cabs or taxicabs licensed to operate by The Corporation's Police Commissioner;
- (b) A bus, jitney or other similar vehicle operating between any point in the City and any locality outside the City, but in no case shall such bus, jitney or other similar vehicle be permitted to take on and discharge passengers along the designated streets or routes.

4. Notwithstanding anything herein contained, should the Operator by reason or riots, Acts of God, the public enemies, or any other reason except road and weather conditions, fail to operate over any portion of such designated streets or routes, the Corporation may grant or permit to be granted to any person, partnership, company or corporation, the right to operate buses, jitneys, or other vehicles for the transportation of passengers over such portion as long as such failure continues, and should the Operator fail to operate over any portion of such designated streets or routes for a period of two months, the Corporation may at its option, upon thirty days' notice in writing to the said Operator, cancel this Agreement, and thereupon all rights of the said Operator hereunder shall cease and be terminated, and the said Operator shall not be entitled to any compensation or damages whatsoever.

5. The Operator shall maintain a good bus service, as warranted by the requirements of the Corporation from time to time during the term of the said franchise and any renewal thereof over fixed routes in the Corporation with fixed stopping and starting places and on a published schedule.

6. The said Operator covenants and agrees with the said Corporation to carry Public Liability Insurance and be responsible for all accidents resulting from negligence of the said Operator, his agents or workmen, in the operating of his said lines, and that the said Operator shall indemnify and save the Corporation harmless from any and all costs and damages which may accrue in any manner by reason of the operation of the transportation system as hereinbefore set forth; but this provision has no application to the ordinary wear, use and damage to the roads and streets of the said Corporation.

7. The following fares are to be charged for continuous passage:

- (a) Twelve (12) tickets for one dollar (\$1.00) or three tickets for twenty-five cents transfers free on tickets,
- (b) Ten cent (10c.) drop cash fare with transfers free,
- (c) Children and students to be charged at the rate of—no charge for children up to and including 4 years of age, and from 4 to 12 years inclusive five cents cash fare or 26 rides for \$1.00.

The above-mentioned transfer coupons shall entitle the passenger to transfer at the corner of Bridge and Front or at any other point in the City where different buses pass same point and to proceed to destination upon bus transferred to on presentation of said transfer coupon. Provided further that no stop-over shall be allowed at point of transfer except for such time as intervenes between arrival of bus from which passenger alights and the earliest arrival thereafter of the bus to which passenger holds transfer coupon.

Provided that the above schedule of fares may be revised by mutual agreement between the parties hereto.

8. The operation of the said bus line is to be subject to the control of the traffic committee of the Belleville Municipal Council and without limiting the generality of the foregoing, the said Traffic Committee is to have absolute jurisdiction over the location and the number of stops made in the City of Belleville.

9. The following are the designated streets and routes:

(a) FOR WEST BELLEVILLE

Commencing at the corner of Bridge and Front Streets; thence westerly on Bridge Street to Yeoman Street; thence northerly on Yeoman Street to West Moira Street; thence easterly on West Moira Street to Cedar Street; thence southerly on Cedar Street to West Bridge Street; thence easterly on West Bridge Street to Front Street; thence northerly on Front Street to Upper Bridge; thence north on North Front Street to College Street; thence easterly on College Street to Cannifton Road; thence southerly on Cannifton Road to Station Street; thence southwesterly on Station Street to Front Street; thence southerly on Front Street to the place of beginning.

(b) FOR EAST BELLEVILLE

Commencing at the corner of Dundas Street and Front Street; thence northerly on Front Street to Station Street; thence northeasterly along Station Street to Bleecker Avenue; thence south on Bleecker Avenue to Pine Street; thence west on Pine Street to Charles Street; thence south on Charles Street to Victoria Avenue; thence west on Victoria Avenue to Front Street; thence south on Front Street to Bridge Street; thence east on Bridge Street to Dufferin Street; thence south on Dufferin Street to Dundas Street; thence west on Dundas Street to the place of beginning.

(c) FOR EAST BELLEVILLE

Commencing at the corner of Front Street and Bridge Street; thence easterly and along Bridge Street to the corner of MacDonald Avenue and Bridge Street; thence northerly along MacDonald

Avenue to the corner of MacDonald Avenue and Pine Street; thence easterly along Pine Street to the corner of Pine Street and Humewood Drive; thence southerly along Humewood Drive to Oriole Park Avenue; thence southwesterly along Oriole Park Avenue across Crestview Avenue to Bridge Street East; thence easterly along Bridge Street East to Herchimer Avenue; thence southerly along Herchimer Avenue to the Four Lane Highway, known as Highway No. 2; thence easterly along the said Four Lane Highway and Dundas Street East to the corner of Dundas Street East and Front Street; thence northerly along Front Street to the place of beginning.

(d) CROSSTOWN

Commencing at the corner of Front Street and Bridge Street; thence westerly along West Bridge Street and Highland Avenue to Parker Street; thence westerly on Parker Street to Wellington Street; thence northerly on Wellington Street to Yeoman Street; thence northerly on Yeoman Street to Catherine Street; thence easterly on Catherine Street to Cedar Street; thence southerly on Cedar Street to Bridge Street West; thence easterly on Bridge Street West to the place of beginning; thence northerly on Front Street to Victoria Avenue; thence easterly on Victoria Avenue to Bleecker Avenue; thence northerly to Station Street on Bleecker Avenue; thence westerly on Station Street to Front Street; thence southerly on Front Street to the place of beginning.

The Operator agrees with the Corporation to provide a regular fifteen minute service for routes (a) and (b), and a regular thirty minute service for routes (c) and (d), commencing at 6.35 a.m. and ending at 12.05 mid-night with the exception of Sundays, public holidays and recognized commercial holidays, such as are agreed upon between the parties hereto.

10. The said Operator agrees to use and operate the most modern and up-to-date passenger buses which shall be clean, well-ventilated, heated and lighted and propelled by the use of electricity, gasoline, petrol or similar explosive substances and shall be kept in good running order and in good exterior and interior appearance.

11. The said designated streets or routes or other terms or conditions of this Agreement may be altered from time to time by mutual agreement. Provided that this Agreement may be renewed by the parties hereto at any time or on or before the termination of this agreement for a further period of ten years, and subject to the same covenants, provisos and agreements as are herein contained or as may be agreed upon between the parties hereto.

12. In case any disagreement or dispute shall arise under or out of this Agreement the same shall be referred to a Board of Arbitrators consisting of the Judge of the County Court of the County of Hastings, one Arbitrator to be appointed by the said Operator and one Arbitrator to be appointed by the said Corporation.

13. The Operator and the Corporation covenant and agree each with the other:

- (a) To carry out the provisions of this Agreement, on the part of each to be carried out,
- (b) To co-operate by all means in the power of each of them at all times to create the most favourable conditions for the carrying out of the objects of this Agreement or any renewals thereof, and all or any by-laws pertaining thereto.

This Agreement and the benefits accruing therefrom shall accrue to and be binding upon the parties hereto their heirs, successors, administrators and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals, the said Corporation affixing its corporate seal attested by the hands of its proper signing officers.

SIGNED, SEALED AND DELIVERED

in the presence of

(Seal)

Witnessed by:

G. LUMMISS.

THE CORPORATION OF THE CITY  
OF BELLEVILLE.

By: R. T. POTTER, *Mayor.*  
J. WILFRED HOLMES, *Clerk.*

THOMAS FREDERICK RAWSON.









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BILL

An Act respecting the City of Belleville  
Bus Franchise

---

*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. SANDERCOCK

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(*Private Bill*)

No. 21

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act respecting the City of Belleville Bus Franchise**

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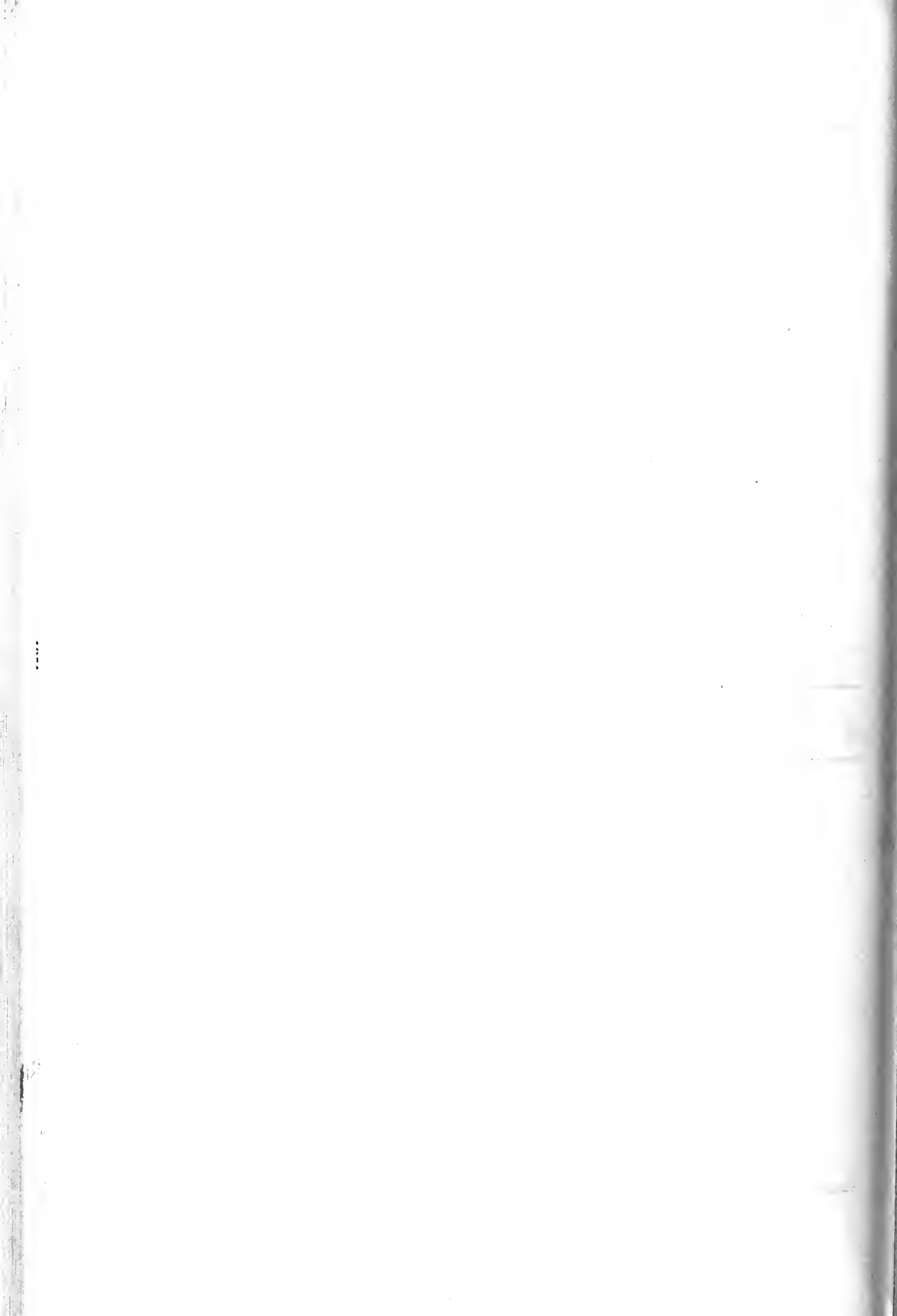
MR. SANDERCOCK

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



No. 21

1951

# BILL

## An Act respecting the City of Belleville Bus Franchise

**W**HEREAS Thomas Frederick Rawson by his petition Preamble. has represented that it is desirable to have confirmed By-law No. 6144, 1951, of the Corporation of the City of Belleville, and the agreement attached thereto, for the purpose of granting a franchise to the said Thomas Frederick Rawson to provide and operate a passenger transportation bus service within the limits of the City of Belleville; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) By-law No. 6144, 1951, of the Corporation of the City of Belleville, passed by the council thereof on the 8th day of January, 1951, being a by-law to grant a franchise to Thomas Frederick Rawson to provide and operate a passenger transportation bus service within the limits of the City of Belleville, set forth as the Schedule hereto, and the agreement set out in Schedule A to the by-law, are hereby confirmed and declared to be valid and binding upon the said Corporation and the ratepayers thereof and upon the said Thomas Frederick Rawson, and upon any other person or persons affected thereby. Bus franchise validated.

(2) Nothing in the said by-law and agreement shall be construed as affecting the powers conferred on the Minister of Highways by *The Public Vehicles Act*. Minister of Highways' powers not affected.  
Rev. Stat., c. 322.

**2.** This Act may be cited as *The City of Belleville Bus Franchise Act, 1951*. Short title.

## SCHEDULE

## THE CORPORATION OF THE CITY OF BELLEVILLE

## BY-LAW NUMBER 6144

- A By-law to authorize the entering into an Agreement with Thomas Frederick Rawson and the execution thereof granting the said Thomas Frederick Rawson an exclusive franchise to operate a bus line in the City of Belleville according to the terms and conditions of the said Agreement.

PASSED the 8th day of January, 1951.

WHEREAS it is deemed expedient by the Council of the Corporation of the City of Belleville and of benefit and convenience for the travelling public, an Agreement be entered into between the Corporation of the City of Belleville and Thomas Frederick Rawson granting him an exclusive franchise to operate a bus line in the City of Belleville according to the terms and conditions of the said Agreement attached hereto and marked as Schedule "A" to this by-law.

NOW THEREFORE, the Council of The Corporation of the City of Belleville hereby enacts as follows:

1. Said Agreement attached hereto and marked Schedule "A" to this by-law be and the same is hereby confirmed, and that the Mayor and Clerk be, and they are hereby authorized to execute the said Agreement and affix thereto the Corporate Seal.

2. This by-law shall come into force and take effect immediately upon Royal Assent being given to the Special Act of the Legislature for the Province of Ontario ratifying and confirming the said Agreement.

Read a first time this 8th day of January, 1951.

Read a second time this 8th day of January, 1951.

Read a third time and finally passed this 8th day of January, 1951.

R. T. POTTER, *Mayor.*  
J. WILFRED HOLMES, *Clerk.*

(Seal)

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*Schedule A*

THIS AGREEMENT made this Eighth day of January, A.D. 1951.

BETWEEN:

THE CORPORATION OF THE CITY OF BELLEVILLE,  
hereinafter called the "Corporation",

OF THE FIRST PART,

—and—

THOMAS FREDERICK RAWSON, of the City of Belleville,  
in the County of Hastings, hereinafter called the  
"Operator",

OF THE SECOND PART.

WHEREAS the Operator has offered to provide and operate a bus service for the conveyance of passengers upon and over certain designated streets and routes within the limits of the Corporation upon the terms and conditions hereinafter set forth.

AND WHEREAS by by-law duly passed by the Municipal Council of the Corporation, the Mayor and Clerk of the Corporation have been authorized and directed to execute, seal and deliver this Agreement on behalf of the Corporation.

NOW THEREFORE THIS AGREEMENT WITNESSETH that for valuable consideration, the parties hereto covenant and agree as follows:

1. The Corporation hereby grants to the Operator the exclusive right, franchise and privilege for the full period of ten years from the 31st day of January, 1951, to operate a passenger transportation system, not including a street railway, and for such purpose to construct, maintain, lease, use, own and operate, buses and other vehicles operated by gasoline, electricity, (except when supplied by overhead wires), steam, air or other motive power, together with any rolling stock or equipment necessary and incidental thereto, to the extent and upon the terms mentioned and authorized in and by this Agreement, and for the said purpose to use, occupy and operate upon the designated streets of the Corporation and along the routes herein defined for a term of ten years.

2. In consideration of the exclusive right, franchise and privilege herein granted by the Corporation to the Operator, the Operator hereby covenants and agrees to pay to the Corporation the sum of Two Hundred Dollars (\$200.00) of lawful money of Canada per annum for each scheduled bus, there being presently six (6) scheduled buses in operation, the said sum being payable on the 31st day of March in each year, the first of such payments to become due and payable on the 31st day of March, 1951. Provided that at the end of five years from the 31st of January, 1951, and every five years thereafter, the parties hereto will re-negotiate the amount payable to the Corporation for each scheduled bus, and should the parties at any time fail to agree as to the amount payable, then the Corporation may at its option terminate the said franchise.

3. During the term of this Agreement, the Corporation shall not, without the consent of the Operator, grant or permit to be granted to any other person, partnership, company or corporation, any right, privilege, license or franchise to construct, maintain, use or operate, any lines of railway for local passenger traffic, or any bus or other similar vehicle for the purpose of transportation of passengers for gain or hire upon the designated streets or along the routes herein defined. Provided that this Section shall not apply to,

- (a) Cabs or taxicabs licensed to operate by The Corporation's Police Commissioner;
- (b) A bus, jitney or other similar vehicle operating between any point in the City and any locality outside the City, but in no case shall such bus, jitney or other similar vehicle be permitted to take on and discharge passengers along the designated streets or routes.

4. Notwithstanding anything herein contained, should the Operator by reason or riots, Acts of God, the public enemies, or any other reason except road and weather conditions, fail to operate over any portion of such designated streets or routes, the Corporation may grant or permit to be granted to any person, partnership, company or corporation, the right to operate buses, jitneys, or other vehicles for the transportation of passengers over such portion as long as such failure continues, and should the Operator fail to operate over any portion of such designated streets or routes for a period of two months, the Corporation may at its option, upon thirty days' notice in writing to the said Operator, cancel this Agreement, and thereupon all rights of the said Operator hereunder shall cease and be terminated, and the said Operator shall not be entitled to any compensation or damages whatsoever.

5. The Operator shall maintain a good bus service, as warranted by the requirements of the Corporation from time to time during the term of the said franchise and any renewal thereof over fixed routes in the Corporation with fixed stopping and starting places and on a published schedule.

6. The said Operator covenants and agrees with the said Corporation to carry Public Liability Insurance and be responsible for all accidents resulting from negligence of the said Operator, his agents or workmen, in the operating of his said lines, and that the said Operator shall indemnify and save the Corporation harmless from any and all costs and damages which may accrue in any manner by reason of the operation of the transportation system as hereinbefore set forth; but this provision has no application to the ordinary wear, use and damage to the roads and streets of the said Corporation.

7. The following fares are to be charged for continuous passage:

- (a) Twelve (12) tickets for one dollar (\$1.00) or three tickets for twenty-five cents transfers free on tickets,
- (b) Ten cent (10c.) drop cash fare with transfers free,
- (c) Children and students to be charged at the rate of—no charge for children up to and including 4 years of age, and from 4 to 12 years inclusive five cents cash fare or 26 rides for \$1.00.

The above-mentioned transfer coupons shall entitle the passenger to transfer at the corner of Bridge and Front or at any other point in the City where different buses pass same point and to proceed to destination upon bus transferred to on presentation of said transfer coupon. Provided further that no stop-over shall be allowed at point of transfer except for such time as intervenes between arrival of bus from which passenger alights and the earliest arrival thereafter of the bus to which passenger holds transfer coupon.

Provided that the above schedule of fares may be revised by mutual agreement between the parties hereto.

8. The operation of the said bus line is to be subject to the control of the traffic committee of the Belleville Municipal Council and without limiting the generality of the foregoing, the said Traffic Committee is to have absolute jurisdiction over the location and the number of stops made in the City of Belleville.

9. The following are the designated streets and routes:

(a) FOR WEST BELLEVILLE

Commencing at the corner of Bridge and Front Streets; thence westerly on Bridge Street to Yeoman Street; thence northerly on Yeoman Street to West Moira Street; thence easterly on West Moira Street to Cedar Street; thence southerly on Cedar Street to West Bridge Street; thence easterly on West Bridge Street to Front Street; thence northerly on Front Street to Upper Bridge; thence north on North Front Street to College Street; thence easterly on College Street to Cannifton Road; thence southerly on Cannifton Road to Station Street; thence southwesterly on Station Street to Front Street; thence southerly on Front Street to the place of beginning.

(b) FOR EAST BELLEVILLE

Commencing at the corner of Dundas Street and Front Street; thence northerly on Front Street to Station Street; thence north-easterly along Station Street to Bleecker Avenue; thence south on Bleecker Avenue to Pine Street; thence west on Pine Street to Charles Street; thence south on Charles Street to Victoria Avenue; thence west on Victoria Avenue to Front Street; thence south on Front Street to Bridge Street; thence east on Bridge Street to Dufferin Street; thence south on Dufferin Street to Dundas Street; thence west on Dundas Street to the place of beginning.

(c) FOR EAST BELLEVILLE

Commencing at the corner of Front Street and Bridge Street; thence easterly and along Bridge Street to the corner of MacDonald Avenue and Bridge Street; thence northerly along MacDonald



Avenue to the corner of MacDonald Avenue and Pine Street; thence easterly along Pine Street to the corner of Pine Street and Humewood Drive; thence southerly along Humewood Drive to Oriole Park Avenue; thence southwesterly along Oriole Park Avenue across Crestview Avenue to Bridge Street East; thence easterly along Bridge Street East to Herchimer Avenue; thence southerly along Herchimer Avenue to the Four Lane Highway, known as Highway No. 2; thence easterly along the said Four Lane Highway and Dundas Street East to the corner of Dundas Street East and Front Street; thence northerly along Front Street to the place of beginning.

(d) CROSSTOWN

Commencing at the corner of Front Street and Bridge Street; thence westerly along West Bridge Street and Highland Avenue to Parker Street; thence westerly on Parker Street to Wellington Street; thence northerly on Wellington Street to Yeoman Street; thence northerly on Yeoman Street to Catherine Street; thence easterly on Catherine Street to Cedar Street; thence southerly on Cedar Street to Bridge Street West; thence easterly on Bridge Street West to the place of beginning; thence northerly on Front Street to Victoria Avenue; thence easterly on Victoria Avenue to Bleecker Avenue; thence northerly to Station Street on Bleecker Avenue; thence westerly on Station Street to Front Street; thence southerly on Front Street to the place of beginning.

The Operator agrees with the Corporation to provide a regular fifteen minute service for routes (a) and (b), and a regular thirty minute service for routes (c) and (d), commencing at 6.35 a.m. and ending at 12.05 mid-night with the exception of Sundays, public holidays and recognized commercial holidays, such as are agreed upon between the parties hereto.

10. The said Operator agrees to use and operate the most modern and up-to-date passenger buses which shall be clean, well-ventilated, heated and lighted and propelled by the use of electricity, gasoline, petrol or similar explosive substances and shall be kept in good running order and in good exterior and interior appearance.

11. The said designated streets or routes or other terms or conditions of this Agreement may be altered from time to time by mutual agreement. Provided that this Agreement may be renewed by the parties hereto at any time or on or before the termination of this agreement for a further period of ten years, and subject to the same covenants, provisos and agreements as are herein contained or as may be agreed upon between the parties hereto.

12. In case any disagreement or dispute shall arise under or out of this Agreement the same shall be referred to a Board of Arbitrators consisting of the Judge of the County Court of the County of Hastings, one Arbitrator to be appointed by the said Operator and one Arbitrator to be appointed by the said Corporation.

13. The Operator and the Corporation covenant and agree each with the other:

- (a) To carry out the provisions of this Agreement, on the part of each to be carried out,
- (b) To co-operate by all means in the power of each of them at all times to create the most favourable conditions for the carrying out of the objects of this Agreement or any renewals thereof, and all or any by-laws pertaining thereto.

This Agreement and the benefits accruing therefrom shall accrue to and be binding upon the parties hereto their heirs, successors, administrators and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals, the said Corporation affixing its corporate seal attested by the hands of its proper signing officers.

SIGNED, SEALED AND DELIVERED

in the presence of

(Seal)

Witnessed by:

G. LUMMISS.

THE CORPORATION OF THE CITY  
OF BELLEVILLE.

By: R. T. POTTER, *Mayor.*  
J. WILFRED HOLMES,  
*Clerk.*

THOMAS FREDERICK RAWSON.







**BILL**

**An Act respecting the City of Belleville  
Bus Franchise**

---

*1st Reading*

February 12th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

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**MR. SANDERCOCK**

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No. 22

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting The Incorporated Synod of the Diocese of Ottawa

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MR. MORROW

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## An Act respecting The Incorporated Synod of the Diocese of Ottawa

**W**HEREAS The Incorporated Synod of the Diocese of Ottawa by its petition has prayed that an Act may be passed to amend its powers with respect to a certain trust fund created by *The Synod of the Diocese of Ottawa Act, 1936*; and whereas it is expedient to grant the prayer of the petition;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 3 of *The Synod of the Diocese of Ottawa Act, 1936* is amended by striking out the words "a canon of the Cathedral Church of the Diocese" in the fifth and sixth lines and inserting in lieu thereof the words "the Bishop of the Diocese of Ottawa as a member of the Cathedral Chapter of the Diocese", so that the section shall read as follows:

1936, c. 79, s. 3, amended.

3. The moneys realized by such sale or sales shall be applied, invested and held in trust by the said corporation in a fund to be known as "The Mountain Memorial Canonry" and the income derived from such fund shall be applied annually in or towards payment of the stipend of the Bishop of the Diocese of Ottawa as a member of the Cathedral Chapter of the Diocese.

Application of proceeds of sale.

2. *The Synod of the Diocese of Ottawa Act, 1936* is amended by adding thereto the following section:

1936, c. 79, amended.

3a. In the event of the creation of a new Diocese of the Church of England in Canada in which the City of Cornwall is located, the capital of the said fund, together with all income thereon subsequent to the creation of such Diocese, shall be transferred to such Diocese.

Transfer of fund if new Diocese created.

3. This Act may be cited as *The Incorporated Synod of the Diocese of Ottawa Act, 1951*.

Short title.

BILL

An Act respecting The Incorporated Synod  
of the Diocese of Ottawa

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. MORROW

*(Private Bill)*

No. 22

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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## BILL

An Act respecting The Incorporated Synod of the Diocese of Ottawa

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MR. MORROW

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act respecting The Incorporated Synod of the Diocese of Ottawa

**W**HEREAS The Incorporated Synod of the Diocese of Ottawa by its petition has prayed that an Act may be passed to amend its powers with respect to a certain trust fund created by *The Synod of the Diocese of Ottawa Act, 1936*; and whereas it is expedient to grant the prayer of the petition;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 3 of *The Synod of the Diocese of Ottawa Act, 1936*, is amended by striking out the words "a canon of the Cathedral Church of the Diocese" in the fifth and sixth lines and inserting in lieu thereof the words "the Bishop of the Diocese of Ottawa as a member of the Cathedral Chapter of the Diocese", so that the section shall read as follows:

c. 79, s. 3, amended.

3. The moneys realized by such sale or sales shall be applied, invested and held in trust by the said corporation in a fund to be known as "The Mountain Memorial Canonry" and the income derived from such fund shall be applied annually in or towards payment of the stipend of the Bishop of the Diocese of Ottawa as a member of the Cathedral Chapter of the Diocese.

Application of proceeds of sale.

2. *The Synod of the Diocese of Ottawa Act, 1936* is amended by adding thereto the following section:

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Transfer of fund if new Diocese created.

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Short title.

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. BILL

An Act respecting The Incorporated Synod  
of the Diocese of Ottawa

---

*1st Reading*

February 12th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

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Mr. MORROW

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No. 23

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the Township of East York

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MISS MACPHAIL

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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No. 23

1951

# BILL

## An Act respecting the Township of East York

**W**HEREAS the Corporation of the Township of East York by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition:

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding subsection 1 of section 53 of *The Municipal Act* and notwithstanding any other general or special Act, the council of the Township of East York shall consist of a reeve, a deputy reeve and five councillors, and they shall all be elected by general vote.

Composition of council.

Rev. Stat., c. 243.

(2) Subsection 1 shall apply to the said council for the year 1952 and for all subsequent years.

Effective date.

2. Notwithstanding the provisions of any other Act, the Township of East York, or any part thereof, shall not, for a period of five years after this Act comes into force, be annexed to an adjoining municipality without the assent of the electors of the Township entitled to vote on money by-laws obtained on the submission of a question for that purpose in conformity with *The Municipal Act*.

No annexation for five years without assent of electors.

3. This Act shall come into force on the day it receives the Royal Assent.

Commencement.

4. This Act may be cited as *The Township of East York Act, 1951*.

Short title.

BILL

An Act respecting the Township of  
East York

*1st Reading*

*2nd Reading*

*3rd Reading*

MISS MACPHAIL

*(Private Bill)*

No. 23

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the Township of East York

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MISS MACPHAIL

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*(Reprinted as amended by the Committee on Private Bills)*

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act respecting the Township of East York

**W**HEREAS the Corporation of the Township of East York by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Notwithstanding subsection 1 of section 53 of *The Municipal Act* and notwithstanding any other general or special Act, the council of the Township of East York shall consist of a reeve, a deputy reeve and five councillors, and they shall all be elected by general vote.

Composition  
of council.  
Rev. Stat.,  
c. 243.

(2) Subsection 1 shall apply to the said council for the year 1952 and for all subsequent years.

Effective  
date.

**2.** This Act shall come into force on the day it receives the Royal Assent.

Commence-  
ment.

**3.** This Act may be cited as *The Township of East York Act, 1951*.

Short title.

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BILL

An Act respecting the Township of  
East York

---

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

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MISS MACPAIL

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(Reprinted as amended by the Committee on  
Private Bills)

No. 23

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act respecting the Township of East York**

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MISS MACPHAIL

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TORONTO  
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No. 23

1951

# BILL

## An Act respecting the Township of East York

**W**HEREAS the Corporation of the Township of East York by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Notwithstanding subsection 1 of section 53 of *The Municipal Act* and notwithstanding any other general or special Act, the council of the Township of East York shall consist of a reeve, a deputy reeve and five councillors, and they shall all be elected by general vote.

Composition  
of council.

Rev. Stat.,  
c. 243.

(2) Subsection 1 shall apply to the said council for the year 1952 and for all subsequent years.

Effective  
date.

**2.** This Act shall come into force on the day it receives the Royal Assent.

Commence-  
ment.

**3.** This Act may be cited as *The Township of East York Act, 1951*.

Short title.

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BILL  
An Act respecting the Township of  
East York

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*1st Reading*  
February 8th, 1951

*2nd Reading*  
March 12th, 1951

*3rd Reading*  
March 14th, 1951

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Miss MacPHAIL

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No. 24

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Ottawa

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MR. MORROW

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



No. 24

1951

# BILL

## An Act respecting the City of Ottawa

**W**HEREAS the Corporation of the City of Ottawa by Preamble.  
its petition has prayed for special legislation in respect  
of the several matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** Orders of the Ontario Municipal Board P.F. B-8464, Municipal Board orders re annexation confirmed.  
dated the 12th day of October, 1949, and P.F. C-1563, dated  
the 9th day of December, 1949, set out as Schedules A and B  
hereto respectively, are hereby confirmed.

**2.** The acquisition by Ottawa Transportation Commission Acquisition of bus system confirmed.  
of the transportation system of Eastview Bus Service Limited  
by the purchase of the capital stock of Eastview Bus Service  
Limited and of Greenberg and Bessin Holdings Limited is  
hereby ratified and confirmed.

**3.**—(1) Clause *a* of subsection 1 of section 4 of *The City of Ottawa Act, 1950* is amended by inserting after the word  
“Act” in the tenth line the words “and for such purposes the  
Corporation of the City of Ottawa may exercise all the  
powers conferred upon a township by section 64 of the said  
Act”. 1950, c. 109, s. 4, subs. 1, cl. a, amended.

(2) Clause *b* of subsection 1 of the said section 4 is amended 1950, c. 109, s. 4, subs. 1, cl. b, amended.  
by adding at the end thereof the words “and the Corporation  
of the Township of Gloucester shall be deemed to have had,  
and the Corporation of the City of Ottawa shall have,  
authority to include as part of the said works the installation  
of private drains and water service pipes between the street  
lines and the buildings erected on the abutting properties”.

**4.** This Act shall come into force on the day it receives Commencement.  
the Royal Assent.

**5.** This Act may be cited as *The City of Ottawa Act, 1951*. Short title.

## SCHEDULE A

P.F. B-8464

## THE ONTARIO MUNICIPAL BOARD

Wednesday, the Twelfth day of October, A.D. 1949.

## BEFORE:

R. S. COLTER, K.C.,  
Chairman, andW. J. MOORE, O.L.S.,  
Member.

IN THE MATTER OF Section 23 of  
"The Municipal Act" (R.S.O.  
1937, Chapter 266) (as enacted  
by O.S. 1939, Chapter 30, Sec-  
tion 2, and amended and re-  
enacted by O.S. 1947, Chapter  
69, Section 2 (1), and

IN THE MATTER OF an application  
by The Corporation of the City  
of Ottawa for the annexation  
thereto of certain lands in the  
Township of Nepean.

UPON THE APPLICATION OF The Corporation of the City of Ottawa,  
The Corporation of the County of Carleton and The Corporation of the  
Township of Nepean consenting thereto;

THE BOARD ORDERS pursuant to Section 49 of *The Ontario Municipal  
Board Act* (R.S.O. 1937, Chapter 60) that Order P.F. B-8464, dated the  
6th day of December, 1948, as varied by Order dated the 28th day of  
February, 1949, be and the same is hereby further varied,—

- (a) by striking out the schedule thereto and inserting in lieu thereof  
Schedule "A" to this Order;
- (b) by adding to paragraph nine (9) of the said Order the following  
subparagraph:  

" (3) The easterly ward shall be known as 'Westboro Ward' and  
the westerly ward shall be known as 'Carleton Ward'."

(Signed) R. S. COLTER,  
Chairman.

(Seal)

*Schedule A*

ALL AND SINGULAR that certain part of the Township of Nepean  
in the County of Carleton and Province of Ontario which may be more  
particularly described as follows:

COMMENCING at a point where the division line between Lots 17 and  
18, Concession 1 (Ottawa Front), intersects the southerly shore-line of the  
Ottawa River; thence southerly and along the said division line and the  
same produced to its intersection with the southerly limit of the road  
allowance between Concessions 1 and 2 (Ottawa Front); thence easterly  
and along the southerly limit of the said road allowance between Con-  
cession 1 and 2 (Ottawa Front) to its intersection with the division line  
between Lots 18 and 19, Concession 2 (Ottawa Front); thence southerly and  
along the division line between said Lots 18 and 19, Concession 2 (Ottawa  
Front) and the same produced in a straight line across the road allowance  
between Concession 2 (Ottawa Front) and Concession 3 (Rideau Front) to  
a point distant 120 feet southerly measured at right angles from the  
southerly limit of the said last mentioned road allowance; thence easterly  
along a line drawn parallel to and distant 120 feet southerly measured at

right angles from the southerly limit of the said road allowance between Concession 2 (Ottawa Front) and Concessions 3, 2 and 1 (Rideau Front), the said road allowance being commonly known as the Base Line Road, to its point of intersection with the division line between the easterly and westerly halves of Lot 35, Concession 1 (Rideau Front), the said division line also being the westerly boundary of a plan registered in the Registry Office for the County of Carleton as number 375; thence northerly along said last mentioned division line to its intersection with the centre line of a 10 foot laneway lying between the said road allowance, known as the Base Line Road and Granton Avenue, as shown on said registered Plan number 375; thence easterly along the centre line of the said 10 foot laneway and the same produced and continued across Cordova Street, Bassano Street, Pender Street and St. Helen's Place, all as shown on said Plan 375 to its intersection with the westerly limit of Lot 2390 as shown on said Plan 375; thence northerly along the westerly limit of said Lot 2390 to the northerly limit thereof; thence easterly along the northerly limit of said Lot 2390 to the westerly limit of the road allowance between Concessions 1 and A (Rideau Front); thence northerly along the westerly limit of the said last mentioned road allowance to a point distant 120 feet southerly when measured at right angles from the southerly limit of the said Base Line Road; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the road allowance between Lots 35 and N, Concession A (Rideau Front), commonly known as the said Base Line Road, to its intersection with the westerly limit of Lot 20 as shown on a plan registered in the Registry Office for the County of Carleton as number 30; thence southerly along said last mentioned westerly limit to a point in said westerly limit distant 175 feet more or less southerly measured from the northerly limit of said Lot 20, the said last mentioned point being the northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 59735; thence easterly along the northerly limit of the lands in said instrument number 59735 a distance of 330 feet more or less to the easterly limit of said Lot 20; thence northerly along the easterly limit of said Lot 20 to a point distant 120 feet southerly, measured at right angles from the southerly limit of the said road allowance, known as the Base Line Road; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the said Base Line Road to the westerly limit of Lot 16, as shown on said Plan number 30; thence southerly along the westerly limit of said Lot 16 to a point in said westerly limit distant 150 feet southerly from the northerly limit of said Lot 16, the said last mentioned point being the northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 52501; thence easterly along the northerly limit of the lands described in said instrument number 52501 and the same produced and continued in a straight line to a point in the westerly limit of the lands described in a deed from one Alexander Labeau to Henry Leaver dated January 23, 1933, and registered in the Registry Office for the County of Carleton as number 43610, the said last mentioned point being distant 150 feet southerly measured along the said westerly limit of the lands described in said instrument number 43610; thence southerly along the westerly limit of the lands described in said instrument number 43610 to the northerly limit of the macadamized road, known as the Merivale Road, which crosses the said lot; thence easterly along the northerly limit of the said macadamized road, known as the Merivale Road, to a point in said limit distant 120 feet southerly when measured at right angles from the southerly limit of the said road allowance between Lots 35 and N, Concession A (Rideau Front), known as the Base Line Road; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the said last mentioned road allowance to its intersection with the southerly limit of the said macadamized road, known as the Merivale Road; thence easterly along the southerly limit of the said last mentioned road to its intersection with the northeasterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 54986; thence southerly along the easterly limit of the lands in said instrument number 54986 to a point in said easterly limit distant 120 feet southerly measured at right angles from the southerly limit of the said road allowance between Lots 35 and N, Concession A (Rideau Front), known as the Base Line Road; thence

easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the said last mentioned road allowance to a point distant 120 feet westerly measured at right angles from the westerly limit of the road allowance between Concessions A and B (Rideau Front), the said last mentioned road allowance being more commonly known as Fisher Avenue; thence southerly along a line drawn parallel to and distant 120 feet westerly measured at right angles from the westerly limit of the said last mentioned road allowance to a point distant 120 feet southerly measured at right angles from the southerly limit of the travelled road through Lot 31, Concession A (Rideau Front), commonly known as the Ottawa Dairy Sideroad; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the said last mentioned travelled road and continuing easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the travelled road through Lot 31, Concession B (Rideau Front) and its production easterly in a straight line to the centre line of the channel of the Rideau River; thence downstream in a northerly and easterly direction following the centre of the channel of the said Rideau River to the westerly limit of Bronson Avenue produced; thence northerly along the production of and the westerly limit of Bronson Avenue to the centre of the channel of the Rideau Canal; thence southwesterly and following the centre of the channel of the Rideau Canal to the westerly limit of the right of way of the Canadian Pacific Railway; thence northwesterly and following the said westerly limit of the right of way of the Canadian Pacific Railway to the southerly limit of Carling Avenue; thence westerly along the southerly limit of Carling Avenue to the easterly limit of Fisher Avenue; thence southerly and along the easterly limit of Fisher Avenue to a point opposite the production easterly in a straight line of the division line between the north and south halves of Lot K, Concession A (Rideau Front); thence westerly and along the last mentioned division line to a point distant 379.9 feet easterly from the easterly limit of the Merivale Road; thence northerly and parallel with the easterly limit of the Merivale Road a distance of 412.5 feet; thence southwesterly in a straight line to a point on the easterly limit of the Merivale Road distant 294.22 feet southerly from the southerly limit of Anna Street; thence northerly along the easterly limit of the Merivale Road to the southerly limit of Carling Avenue; thence westerly along the southerly limit of Carling Avenue to the production southerly of the division line between Lots 33 and 34, Concession 1 (Ottawa Front); thence northerly and along said division line between Lots 33 and 34 and the same continued northerly along the centre line of Western Avenue to the northerly limit of Scott Street; thence easterly along the northerly limit of Scott Street to the westerly limit of Parkdale Avenue; thence northerly along the westerly limit of Parkdale Avenue and its production northerly to the boundary line between the Province of Ontario and the Province of Quebec (being the centre of the channel of the Ottawa River); thence in a westerly direction following the said Interprovincial Boundary Line to a point opposite the production northerly in a straight line of the division line between Lots 17 and 18, Concession 1 (Ottawa Front); thence southerly and along said last mentioned division line to the point of commencement.



## SCHEDULE B

P.F. C-1563

## THE ONTARIO MUNICIPAL BOARD

Friday, the Ninth day of December, A.D. 1949.

## BEFORE:

W. P. NEAR, B.A.Sc.,  
Vice-Chairman, and

R. HOWARD YEATES,  
Member.

IN THE MATTER OF SECTION 23 of  
"The Municipal Act" (R.S.O.  
1937, Chapter 266), (as re-  
enacted by O.S. 1939, Chapter 30,  
Section 2 and as amended by  
O.S. 1947, Chapter 69, Section 2),  
and;

IN THE MATTER OF an application  
by The Corporation of the City  
of Ottawa and Township of  
Gloucester for annexation to the  
City of Ottawa approximately  
14,605 acres of the Township of  
Gloucester in the County of  
Carleton more particularly des-  
cribed in Schedule "A" attached  
hereto.

Upon the application of The Corporation of the City of Ottawa and of the Corporation of the Township of Gloucester in the presence of counsel for the Applicants, counsel for the Corporation of the County of Carleton, counsel for the Ottawa Public School Board, counsel for the Ottawa Separate School Board, counsel for Uplands Bus Line Limited, counsel for Eastview Bus Service Limited and counsel for certain owners of property within the area proposed to be annexed and of certain property owners and residents of the Township of Gloucester who appeared in person and upon reading By-law No. 138-49 of The Corporation of the City of Ottawa and By-law No. 46-49 of The Corporation of the Township of Gloucester, filed with the Board, authorizing this application and upon hearing evidence adduced at a public hearing held at Ottawa on Thursday, the 10th day of November, 1949, pursuant to notice given in accordance with the direction of the Board, and upon hearing what was alleged by counsel aforesaid and by the aforesaid property owners and residents.

THE BOARD ORDERS under and pursuant to section 23 of *The Municipal Act* (R.S.O. 1937, Chapter 266) (as re-enacted by O.S. 1939, Chapter 30, Section 2 and as amended and re-enacted by O.S. 1947, Chapter 69, Section 2) that that part of the Township of Gloucester described in Schedule "A" hereto be and the same is hereby annexed to the City of Ottawa.

## THE BOARD FURTHER ORDERS:

1. That the lands annexed to the City of Ottawa by this order (hereinafter referred to as the "annexed lands") shall be added to the assessment rolls of the City of Ottawa for the year 1949 and, subject to the exemptions provided by any act, and except as hereinafter provided, shall be liable to taxation by The Corporation of the City of Ottawa in the year 1950 and thereafter at the same rates as other lands in the City of Ottawa.

2. That the assessment of the annexed lands made by The Corporation of the Township of Gloucester in the year 1949, including business assessment, as finally revised and confirmed, together with all additions to the assessment rolls under the provisions of section 57a of *The Assessment Act*

shall, subject to the provisions of paragraph 4 below, be the assessment upon which The Corporation of the City of Ottawa shall levy taxation in respect of the said lands in the year 1950.

3. (1) That all proceedings under *The Assessment Act* in respect of the said assessments made by The Corporation of the Township of Gloucester in 1949 which have not been completed by the Court of Revision of the Township of Gloucester on the 31st day of December, 1949, shall be continued and completed by such court as if the annexed lands had not been annexed to the City of Ottawa.

(2) That prior to the 1st day of January, 1950, all such proceedings shall be conducted on behalf of the municipality by The Corporation of the Township of Gloucester and on and after such date all such proceedings shall be conducted on behalf of the municipality by The Corporation of the City of Ottawa.

4. (1) That taxes other than local improvement rates upon all parcels of land in the area to be annexed consisting of five acres or more which on the 31st day of December, 1949, are used solely for agricultural purposes and are not subdivided shall in the years 1950, 1951, 1952, 1953 and 1954 be the same amount as the taxes imposed by The Corporation of the Township of Gloucester in the year 1948 and section 42 of *The Assessment Act* shall not apply during this period, provided that, if before the 31st day of December, 1954

- (a) any such parcel of land is subdivided in whole or in part, or
- (b) any such parcel of land ceases to be wholly used for agricultural purposes, or
- (c) water service is made available

the fixation of taxation provided by this subparagraph shall, subject to the next following subparagraph, cease to apply and the parcel of land affected shall forthwith upon the happening of any of the events mentioned in clause (a), (b) or (c) above be assessed and taxed as it would have been if the fixation of taxation provided by this subparagraph had not applied to it, provided also that this subparagraph shall not apply to alterations, additions, improvements and new structures, which shall be assessed in accordance with the provisions of *The Assessment Act*; and

(2) That where water service is made available to any parcel of land entitled to fixation of taxation under the above subparagraph, the cessation of fixation shall apply only to that part of the parcel lying within 100 feet of the highway in which the water main is laid and the remainder of the parcel of land, if it otherwise complies with the requirements of the above subparagraph shall continue to be entitled to the fixation of taxation provided by such subparagraph.

(3) That all other lands in the area to be annexed which are not provided with water service on the 31st day of December, 1949, shall in the years 1950, 1951, 1952, 1953 and 1954 be taxed upon the assessment made by The Corporation of the Township of Gloucester in the year 1949, provided that if such water service is made available before the 31st day of December, 1954, the fixed assessment provided by this subparagraph shall cease to apply and upon such water service being made available the parcel of land affected shall forthwith be assessed and taxed as it would have been if the fixed assessment provided by this subparagraph had not applied to it, provided also that this subparagraph shall not apply to alterations, additions, improvements and new structures, which shall be assessed in accordance with the provisions of *The Assessment Act*.

5. (1) That all taxes imposed by The Corporation of the Township of Gloucester upon the annexed lands up to the 31st day of December, 1949, and all arrears of taxes then owing on the said lands shall remain the property of The Corporation of the Township of Gloucester.

(2) That The Corporation of the Township of Gloucester shall furnish The Corporation of the City of Ottawa with a special collector's

roll showing all arrears of taxes owing in respect of the annexed lands up to the 31st day of December, 1949, and the persons assessed therefor, and The Corporation of the City of Ottawa shall have the right to collect such arrears of taxes in the same manner and with all the rights and powers, including the right to sell lands for arrears of taxes, provided by *The Assessment Act* or any other Act, as fully and effectually as if the said taxes had been levied by The Corporation of the City of Ottawa.

(3) That The Corporation of the City of Ottawa shall pay the proceeds of the collection of such arrears of taxes to The Corporation of the Township of Gloucester after deducting therefrom the proper costs and expenses of collecting the same, and The Corporation of the City of Ottawa shall not be responsible to The Corporation of the Township of Gloucester for any of such arrears of taxes which it may be unable to collect.

(4) That The Corporation of the Township of Gloucester shall indemnify and save harmless The Corporation of the City of Ottawa from all loss, damages, costs and expenses arising from any act or omission of The Corporation of the Township of Gloucester or its officers or servants in connection with the said special collector's roll.

6. (1) That The Corporation of the Township of Gloucester shall in 1949 prepare a special voters' list under *The Voters' Lists Act* in respect of the area annexed and The Corporation of the City of Ottawa may use such list for the purpose of the election hereinafter referred to in the same manner and to the same extent as if the said list had been prepared by The Corporation of the City of Ottawa.

(2) That The Corporation of the City of Ottawa shall as soon as reasonably may be after the date of this order, hold an election at which two aldermen and two separate school trustees representing the ward referred to in paragraph 7 shall be elected for the year 1950 and all necessary proceedings in connection therewith (including the passing of a by-law or by-laws to fix times and places for nominations and polling and to appoint deputy returning officers and poll clerks) may be taken by The Corporation of the City of Ottawa prior to the 1st day of January, 1950, in the same manner and to the same extent as if the annexed lands then formed part of the City of Ottawa, or may be taken after such date.

7. That until a redivision in respect of wards is ordered by the Board, the annexed lands shall form one ward of the City of Ottawa known as Gloucester Ward.

THE BOARD FURTHER ORDERS that in the absence of an agreement being reached between Uplands Bus Lines Limited and Ottawa Transportation Commission before the 1st day of January, 1950, respecting the purchase price payable for the assets and undertaking of Uplands Bus Lines Limited, either Uplands Bus Lines Limited or Ottawa Transportation Commission may apply to the Board to determine such price.

THE BOARD FURTHER ORDERS that in the event of The Corporation of the City of Ottawa and each of the following school boards namely: The Ottawa Public School Board, The Ottawa Separate School Board and The Ottawa Collegiate Institute Board being unable to agree before the 15th day of January, 1950, on the proper distribution of school rates received in respect of lands entitled to fixation of taxation under paragraph 4 above any party may apply to the Board to determine the manner in which such distribution should be made.

THE BOARD FURTHER ORDERS that unless an objection is filed with the Board pursuant to subsections 14 and 15 of section 23 of *The Municipal Act* which is not withdrawn, this order shall come into force on the 2nd day of January, 1950.

(Signed) W. P. NEAR,  
Vice-Chairman.

*Schedule A*

ALL AND SINGULAR that certain part of the Township of Gloucester in the County of Carleton and Province of Ontario which may be more particularly described as follows:

COMMENCING at a point where the existing northeasterly limit of the City of Ottawa intersects the centre line of the channel of the Ottawa River (the same being the boundary line between the Province of Ontario and the Province of Quebec); thence easterly and along said centre line of the channel of the Ottawa River to a point where said centre line is intersected by the production northerly of a straight line drawn parallel to and distant 120 feet westerly down at right angles from the westerly limit of the road allowance between Lots 20 and 21, Concession 1 (Ottawa Front); thence southerly and along said last mentioned parallel line to a point distant 2500 feet northerly measured at right angles from the northerly limit of the road allowance between Concessions 1 and 2 (Ottawa Front); thence westerly in a straight line to the northeasterly angle of Lot 20 as shown on registered Plan number 26; thence westerly and along the northerly limit of said Lot 20 to a point distant 120 feet easterly measured at right angles from the easterly limit of the road allowance (known as the Base Line Road) between the Junction Gore and the Concessions fronting on the Ottawa River; thence southerly and along a line drawn parallel to and distant 120 feet easterly measured at right angles from the easterly limit of the said last mentioned road allowance and continued across Lots 20 to 27 inclusive as shown on said registered Plan number 26 to the southerly limit of said Lot 27; thence southerly in a straight line to the most northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 45303; thence on a bearing of North 73° 53' East magnetic a distance of 66 feet to the most northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 45305; thence on a bearing of South 9° 41' East magnetic a distance of 72 feet; thence southwesterly in a straight line a distance of 135 feet more or less to a point on the easterly limit of the Public Road known as the Cyrville Road distant 96 feet southerly from the northwesterly angle of that part of the said lot described in said instrument number 45303; thence southerly in a straight line across the said Cyrville Road to a point on the westerly limit of the said road distant 120 feet easterly measured at right angles from the easterly limit of the above mentioned Base Line Road; thence southerly along a line drawn parallel to and distant 120 feet easterly measured at right angles from the easterly limit of the said Base Line Road to a point in the northerly limit of registered Plan number 465; thence easterly and along the said northerly limit of registered Plan number 465 to the rear limit of the lots fronting on the easterly limit of the said Base Line Road; thence southerly and along the rear limit of the said lots to where the same intersects the rear limit of the lots on the northerly limit of the road allowance between Concessions 1 and 2 (Ottawa Front); thence westerly and along said northerly limit to the westerly limit of Lot 4 as shown on said registered Plan number 465; thence southerly and along the said westerly limit of Lot 4 to the northerly limit of the said road allowance between Concessions 1 and 2 (Ottawa Front); thence southerly in a straight line across said last mentioned road allowance to the northeasterly angle of Lot 3 as shown on registered Plan number 23; thence southerly and along the easterly limits of Lots 3 to 9 inclusive, to the northerly limit of George Street as shown on said registered Plan number 23; thence southerly in a straight line across said George Street to the northwesterly angle of Lot 43 as shown on registered Plan number 63; thence southerly and along the westerly limits of Lots 43 and 44 as shown on said Plan 63 to the southwesterly angle of said Lot 44; thence easterly and along the southerly limit of said Lot 44 and the same produced easterly to the westerly limit of Lot 19 as shown on said Plan number 63; thence southerly and along the westerly limit of said Lot 19 to the southwesterly angle thereof; thence easterly and along the southerly limit of said Lot 19 to the southeasterly angle thereof, being the division line between the east and west halves of Lot 27, Concession 2 (Ottawa Front); thence in a southeasterly direction along a straight line joining the said last mentioned point with the southeasterly angle of Lot 24, Concession 2 (Ottawa Front) to a point where the said

straight line intersects the easterly limit of Lot 25, Concession 2 (Ottawa Front); thence southerly and along the said easterly limit of Lot 25 and the same produced and continued southerly to the southerly limit of the right of way of the Canadian Pacific Railway; thence easterly and along the southerly limit of the said right of way of the Canadian Pacific Railway to a point distant 250 feet easterly measured from the westerly limit of Lot 21, Concession 3 (Ottawa Front); thence southerly in a straight line to the southwesterly angle of Lot 23, Concession 3 (Ottawa Front); thence southeasterly in a straight line to a point where the northerly limit of the road (known as Ridge Road) between Lots 1 and 2, Concession 6 (Rideau Front) intersects the easterly limit of the right of way of the New York Central Railway; thence southeasterly and along the easterly limit of the said right of way of the New York Central Railway to the division line between the north and south halves of Lot 2, Concession 6 (Rideau Front); thence westerly and along said last mentioned division line to a point distant 200 feet easterly measured at right angles from the easterly limit of the road allowance between Concession 5 and 6 (Rideau Front); thence southerly and along a line drawn parallel to and distant 200 feet easterly measured at right angles from the easterly limit of the said road allowance between Concessions 5 and 6 (Rideau Front) to a point on the production easterly of a straight line drawn parallel to and distant 200 feet southerly measured at right angles from the southerly limit of the road allowance between Lots 5 and 6, Concession 5 (Rideau Front); thence westerly and along said last mentioned line drawn parallel to and distant 200 feet southerly measured at right angles from the southerly limit of said road allowance between Lots 5 and 6, Concession 5 (Rideau Front) and the same continued westerly along a line drawn parallel to and distant 200 feet southerly measured at right angles from the road allowance between Lots 5 and 6, Concession 4 (Rideau Front), and Lots 5 and 6, Concession 3 (Rideau Front) to a point distant 200 feet easterly measured at right angles from the easterly limit of the said road allowance between the Gore between Concessions 2 and 3 (Rideau Front) and Concession 3 (Rideau Front); thence southerly and along a line drawn parallel to and distant 200 feet easterly measured at right angles from the easterly limit of said last mentioned road allowance to a point in the production easterly of straight line drawn parallel to and distant 200 feet southerly measured at right angles from the southerly limit of the road allowance between Concession 2 (Rideau Front) and the said Gore between Concessions 2 and 3 (Rideau Front); thence westerly and along said production and continuing westerly along said last mentioned parallel line to the easterly limit of Lot 6, Concession 2 (Rideau Front), also being the existing easterly limit of Uplands Airport; thence southerly and along the said easterly limit of Lot 6, Concession 2 (Rideau Front), to the southerly limit of the said Lot 6; thence westerly and along the southerly limit of the said Lot 6 a distance of 1576.5 feet more or less to the northeasterly angle of the lands described in instrument number 38631; thence southeasterly at right angles to the previous course a distance of 1830.1 feet; thence southwesterly at right angles to the previous course a distance of 131.6 feet; thence southeasterly at right angles to the previous course a distance of 200 feet more or less to the northwesterly limit of a lane 33 feet wide, the southeasterly limit of the said lane being the half lot line between the northwesterly and the southeasterly halves of Lot 8, Concession 2 (Rideau Front); thence southwesterly and along the said northwesterly limit of lane to a point distant 120 feet easterly measured at right angles from the easterly limit of the Bowesville Road; thence southerly and along a line drawn parallel to and distant 120 feet easterly measured at right angles from the easterly limit of the said Bowesville Road to the southerly limit of the northerly half of Lot 9, Concession 2 (Rideau Front); thence westerly and along the said southerly limit of the northerly half of Lot 9, Concession 2 (Rideau Front) and the same continued westerly across the said Bowesville Road to a point distant 2815.6 feet westerly measured along said last mentioned limit from the westerly limit of the said Bowesville Road, the said point also being the northeasterly angle of the lands described in instrument number 40203; thence on a bearing of South 19° 36' East a distance of 684 feet more or less to the southerly limit of said Lot 9, Concession 2 (Rideau Front); thence on a bearing of South 60° West along the said southerly limit of Lot 9, a distance of 1395.5 feet; thence on a bearing of North 30° 17' West a distance of 677.4 feet to the northwesterly angle of the lands in said instrument number 40203; thence continuing northerly

in a straight line along the westerly limit of the lands described in instrument number 38640 a distance of 673 feet to the southerly limit of Lot 8, Concession 2 (Rideau Front), being the northwesterly angle of the lands in said instrument number 38640, and also being the westerly limit of Uplands Airport; thence westerly and along the southerly limit of said Lot 8 and the same produced to the westerly limit of the unopened road allowance between Concessions 1 and 2 (Rideau Front); thence northerly and along the said westerly limit of the last mentioned unopened road allowance to the southerly limit of Lot 8, Concession 1 (Rideau Front); thence westerly and along the southerly limit of said Lot 8 and the same produced westerly in a straight line to the centre line of the channel of Rideau River; thence downstream in a northerly and easterly direction following the said centre line of the channel of the Rideau River to its intersection with the production westerly of the southerly limit of Lot 7, Junction Gore, the same being southerly limit of the Village of Eastview; thence easterly and along the said production of the southerly limit of said Lot 7 and continuing easterly along the southerly limit to a point in the southerly limit of said Lot 7, distant 1900 feet measured in a westerly direction from the southeast angle of said Lot 7; thence northerly and parallel to the westerly boundary of the road allowance being in the said Junction Gore and the First Concession, Ottawa Front to the northerly boundary of the Montreal Road; thence easterly and along the northerly boundary of the said Montreal Road to the southeast angle of the Village of Clandeboye; thence northerly and along the easterly boundary of the said Village to the southerly boundary of Beechwood Cemetery; thence westerly and northerly and following the boundaries of the said Cemetery, the same being the limits of the said Village of Eastview, to the easterly limit of the Village of Rockcliffe Park; thence northerly following the said easterly limit of the said Village of Rockcliffe Park and continuing easterly, and northerly, and westerly, etc., following the limits of the said Village to the southerly limit of Princess Avenue, being the northerly limit of "Rideau Hall Domain"; thence westerly and along the southerly side of Princess Avenue to a point where the easterly side of Thomas Street produced northerly would intersect said Princess Avenue; thence on a straight line running due northwest to the water's edge of the said Ottawa River; thence westerly in a direct line to the point of commencement.









BILL

An Act respecting the City of Ottawa

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. MORROW

(*Private Bill*)

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Ottawa

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MR. MORROW

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*(Reprinted as amended by the Committee on Private Bills)*

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TORONTO

PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



No. 24

1951

# BILL

## An Act respecting the City of Ottawa

**W**HEREAS the Corporation of the City of Ottawa by Preamble.  
its petition has prayed for special legislation in respect  
of the several matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** Orders of the Ontario Municipal Board P.F. B-8464 Municipal Board orders re annexation confirmed.  
dated the 12th day of October, 1949, P.F. C-1563 dated the  
9th day of December, 1949, P.F. B-8464 dated the 2nd day  
of March, 1951, and P.F. C-1563 dated the 2nd day of March,  
1951, set out as Schedules A, B, C and D hereto respectively,  
are hereby confirmed.

**2.** The acquisition by Ottawa Transportation Commission Acquisition of bus system confirmed.  
of the transportation system of Eastview Bus Service Limited  
by the purchase of the capital stock of Eastview Bus Service  
Limited and of Greenberg and Bessin Holdings Limited is  
hereby ratified and confirmed.

**3.**—(1) Clause *a* of subsection 1 of section 4 of *The City of Ottawa Act, 1950* is amended by inserting after the word 1950, c. 109, s. 4, subs. 1, cl. a, amended.  
“*Act*” in the tenth line the words “and for such purposes the  
Corporation of the City of Ottawa may exercise all the  
powers conferred upon a township by section 64 of the said  
Act”.

(2) Clause *b* of subsection 1 of the said section 4 is amended 1950, c. 109, s. 4, subs. 1, cl. a, amended.  
by adding at the end thereof the words “and the Corporation  
of the Township of Gloucester shall be deemed to have had,  
and the Corporation of the City of Ottawa shall have,  
authority to include as part of the said works the installation  
of private drains and water service pipes between the street  
lines and the buildings erected on the abutting properties”.

**4.** This Act shall come into force on the day it receives Commencement.  
the Royal Assent.

**5.** This Act may be cited as *The City of Ottawa Act, 1951*. Short title.

## SCHEDULE A

P.F. B-8464

## THE ONTARIO MUNICIPAL BOARD

Wednesday, the Twelfth day of October, A.D. 1949.

## BEFORE:

R. S. COLTER, K.C.,  
Chairman, andW. J. MOORE, O.L.S.,  
Member.IN THE MATTER OF Section 23 of  
"The Municipal Act" (R.S.O.  
1937, Chapter 266) (as enacted  
by O.S. 1939, Chapter 30, Sec-  
tion 2, and amended and re-  
enacted by O.S. 1947, Chapter  
69, Section 2 (1), andIN THE MATTER OF an application  
by The Corporation of the City  
of Ottawa for the annexation  
thereto of certain lands in the  
Township of Nepean.

UPON THE APPLICATION OF The Corporation of the City of Ottawa,  
The Corporation of the County of Carleton and The Corporation of the  
Township of Nepean consenting thereto;

THE BOARD ORDERS pursuant to Section 49 of *The Ontario Municipal Board Act* (R.S.O. 1937, Chapter 60) that Order P.F. B-8464, dated the 6th day of December, 1948, as varied by Order dated the 28th day of February, 1949, be and the same is hereby further varied,—

- (a) by striking out the schedule thereto and inserting in lieu thereof Schedule "A" to this Order;
  - (b) by adding to paragraph nine (9) of the said Order the following subparagraph:
- " (3) The easterly ward shall be known as 'Westboro Ward' and the westerly ward shall be known as 'Carleton Ward'."

(Seal)

(Signed) R. S. COLTER,  
Chairman.*Schedule A*

ALL AND SINGULAR that certain part of the Township of Nepean in the County of Carleton and Province of Ontario which may be more particularly described as follows:

COMMENCING at a point where the division line between Lots 17 and 18, Concession 1 (Ottawa Front), intersects the southerly shore-line of the Ottawa River; thence southerly and along the said division line and the same produced to its intersection with the southerly limit of the road allowance between Concessions 1 and 2 (Ottawa Front); thence easterly and along the southerly limit of the said road allowance between Concession 1 and 2 (Ottawa Front) to its intersection with the division line between Lots 18 and 19, Concession 2 (Ottawa Front); thence southerly and along the division line between said Lots 18 and 19, Concession 2 (Ottawa Front) and the same produced in a straight line across the road allowance between Concession 2 (Ottawa Front) and Concession 3 (Rideau Front) to a point distant 120 feet southerly measured at right angles from the southerly limit of the said last mentioned road allowance; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at

right angles from the southerly limit of the said road allowance between Concession 2 (Ottawa Front) and Concessions 3, 2 and 1 (Rideau Front), the said road allowance being commonly known as the Base Line Road, to its point of intersection with the division line between the easterly and westerly halves of Lot 35, Concession 1 (Rideau Front), the said division line also being the westerly boundary of a plan registered in the Registry Office for the County of Carleton as number 375; thence northerly along said last mentioned division line to its intersection with the centre line of a 10 foot laneway lying between the said road allowance, known as the Base Line Road and Granton Avenue, as shown on said registered Plan number 375; thence easterly along the centre line of the said 10 foot laneway and the same produced and continued across Cordova Street, Bassano Street, Pender Street and St. Helen's Place, all as shown on said Plan 375 to its intersection with the westerly limit of Lot 2390 as shown on said Plan 375; thence northerly along the westerly limit of said Lot 2390 to the northerly limit thereof; thence easterly along the northerly limit of said Lot 2390 to the westerly limit of the road allowance between Concessions 1 and A (Rideau Front); thence northerly along the westerly limit of the said last mentioned road allowance to a point distant 120 feet southerly when measured at right angles from the southerly limit of the said Base Line Road; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the road allowance between Lots 35 and N, Concession A (Rideau Front), commonly known as the said Base Line Road, to its intersection with the westerly limit of Lot 20 as shown on a plan registered in the Registry Office for the County of Carleton as number 30; thence southerly along said last mentioned westerly limit to a point in said westerly limit distant 175 feet more or less southerly measured from the northerly limit of said Lot 20, the said last mentioned point being the northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 59735; thence easterly along the northerly limit of the lands in said instrument number 59735 a distance of 330 feet more or less to the easterly limit of said Lot 20; thence northerly along the easterly limit of said Lot 20 to a point distant 120 feet southerly, measured at right angles from the southerly limit of the said road allowance, known as the Base Line Road; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the said Base Line Road to the westerly limit of Lot 16, as shown on said Plan number 30; thence southerly along the westerly limit of said Lot 16 to a point in said westerly limit distant 150 feet southerly from the northerly limit of said Lot 16, the said last mentioned point being the northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 52501; thence easterly along the northerly limit of the lands described in said instrument number 52501 and the same produced and continued in a straight line to a point in the westerly limit of the lands described in a deed from one Alexander Labeau to Henry Leaver dated January 23, 1933, and registered in the Registry Office for the County of Carleton as number 43610, the said last mentioned point being distant 150 feet southerly measured along the said westerly limit of the lands described in said instrument number 43610; thence southerly along the westerly limit of the lands described in said instrument number 43610 to the northerly limit of the macadamized road, known as the Merivale Road which crosses the said lot; thence easterly along the northerly limit of the said macadamized road, known as the Merivale Road, to a point in said limit distant 120 feet southerly when measured at right angles from the southerly limit of the said road allowance between Lots 35 and N, Concession A (Rideau Front), known as the Base Line Road; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the said last mentioned road allowance to its intersection with the southerly limit of the said macadamized road, known as the Merivale Road; thence easterly along the southerly limit of the said last mentioned road to its intersection with the northeasterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 54986; thence southerly along the easterly limit of the lands in said instrument number 54986 to a point in said easterly limit distant 120 feet southerly measured at right angles from the southerly limit of the said road allowance between Lots 35 and N, Concession A (Rideau Front), known as the Base Line Road; thence

easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the said last mentioned road allowance to a point distant 120 feet westerly measured at right angles from the westerly limit of the road allowance between Concessions A and B (Rideau Front), the said last mentioned road allowance being more commonly known as Fisher Avenue; thence southerly along a line drawn parallel to and distant 120 feet westerly measured at right angles from the westerly limit of the said last mentioned road allowance to a point distant 120 feet southerly measured at right angles from the southerly limit of the travelled road through Lot 31, Concession A (Rideau Front), commonly known as the Ottawa Dairy Sideroad; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the said last mentioned travelled road and continuing easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the travelled road through Lot 31, Concession B (Rideau Front) and its production easterly in a straight line to the centre line of the channel of the Rideau River; thence downstream in a northerly and easterly direction following the centre of the channel of the said Rideau River to the westerly limit of Bronson Avenue produced; thence northerly along the production of and the westerly limit of Bronson Avenue to the centre of the channel of the Rideau Canal; thence southwesterly and following the centre of the channel of the Rideau Canal to the westerly limit of the right of way of the Canadian Pacific Railway; thence northwesterly and following the said westerly limit of the right of way of the Canadian Pacific Railway to the southerly limit of Carling Avenue; thence westerly along the southerly limit of Carling Avenue to the easterly limit of Fisher Avenue; thence southerly and along the easterly limit of Fisher Avenue to a point opposite the production easterly in a straight line of the division line between the north and south halves of Lot K, Concession A (Rideau Front); thence westerly and along the last mentioned division line to a point distant 379.9 feet easterly from the easterly limit of the Merivale Road; thence northerly and parallel with the easterly limit of the Merivale Road a distance of 412.5 feet; thence southwesterly in a straight line to a point on the easterly limit of the Merivale Road distant 294.22 feet southerly from the southerly limit of Anna Street; thence northerly along the easterly limit of the Merivale Road to the southerly limit of Carling Avenue; thence westerly along the southerly limit of Carling Avenue to the production southerly of the division line between Lots 33 and 34, Concession 1 (Ottawa Front); thence northerly and along said division line between Lots 33 and 34 and the same continued northerly along the centre line of Western Avenue to the northerly limit of Scott Street; thence easterly along the northerly limit of Scott Street to the westerly limit of Parkdale Avenue; thence northerly along the westerly limit of Parkdale Avenue and its production northerly to the boundary line between the Province of Ontario and the Province of Quebec (being the centre of the channel of the Ottawa River); thence in a westerly direction following the said Interprovincial Boundary Line to a point opposite the production northerly in a straight line of the division line between Lots 17 and 18, Concession 1 (Ottawa Front); thence southerly and along said last mentioned division line to the point of commencement.



## SCHEDULE B

P.F. C-1563

## THE ONTARIO MUNICIPAL BOARD

Friday, the Ninth day of December, A.D. 1949.

## BEFORE:

W. P. NEAR, B.A.Sc.,  
Vice-Chairman, andR. HOWARD YEATES,  
Member.

IN THE MATTER OF SECTION 23 of  
"The Municipal Act" (R.S.O.  
1937, Chapter 266), (as re-  
enacted by O.S. 1939, Chapter 30,  
Section 2 and as amended by  
O.S. 1947, Chapter 69, Section 2),  
and;

IN THE MATTER OF an application  
by The Corporation of the City  
of Ottawa and Township of  
Gloucester for annexation to the  
City of Ottawa approximately  
14,605 acres of the Township of  
Gloucester in the County of  
Carleton more particularly de-  
scribed in Schedule "A" attached  
hereto.

Upon the application of The Corporation of the City of Ottawa and of the Corporation of the Township of Gloucester in the presence of counsel for the Applicants, counsel for the Corporation of the County of Carleton, counsel for the Ottawa Public School Board, counsel for the Ottawa Separate School Board, counsel for Uplands Bus Line Limited, counsel for Eastview Bus Service Limited and counsel for certain owners of property within the area proposed to be annexed and of certain property owners and residents of the Township of Gloucester who appeared in person and upon reading By-law No. 138-49 of The Corporation of the City of Ottawa and By-law No. 46-49 of The Corporation of the Township of Gloucester, filed with the Board, authorizing this application and upon hearing evidence adduced at a public hearing held at Ottawa on Thursday, the 10th day of November, 1949, pursuant to notice given in accordance with the direction of the Board, and upon hearing what was alleged by counsel aforesaid and by the aforesaid property owners and residents.

THE BOARD ORDERS under and pursuant to section 23 of *The Municipal Act* (R.S.O. 1937, Chapter 266) (as re-enacted by O.S. 1939, Chapter 30, Section 2 and as amended and re-enacted by O.S. 1947, Chapter 69, Section 2) that that part of the Township of Gloucester described in Schedule "A" hereto be and the same is hereby annexed to the City of Ottawa.

## THE BOARD FURTHER ORDERS:

1. That the lands annexed to the City of Ottawa by this order (hereinafter referred to as the "annexed lands") shall be added to the assessment rolls of the City of Ottawa for the year 1949 and, subject to the exemptions provided by any act, and except as hereinafter provided, shall be liable to taxation by The Corporation of the City of Ottawa in the year 1950 and thereafter at the same rates as other lands in the City of Ottawa.

2. That the assessment of the annexed lands made by The Corporation of the Township of Gloucester in the year 1949, including business assessment, as finally revised and confirmed, together with all additions to the assessment rolls under the provisions of section 57a of *The Assessment Act*

shall, subject to the provisions of paragraph 4 below, be the assessment upon which The Corporation of the City of Ottawa shall levy taxation in respect of the said lands in the year 1950.

3. (1) That all proceedings under *The Assessment Act* in respect of the said assessments made by The Corporation of the Township of Gloucester in 1949 which have not been completed by the Court of Revision of the Township of Gloucester on the 31st day of December, 1949, shall be continued and completed by such court as if the annexed lands had not been annexed to the City of Ottawa.

(2) That prior to the 1st day of January, 1950, all such proceedings shall be conducted on behalf of the municipality by The Corporation of the Township of Gloucester and on and after such date all such proceedings shall be conducted on behalf of the municipality by The Corporation of the City of Ottawa.

4. (1) That taxes other than local improvement rates upon all parcels of land in the area to be annexed consisting of five acres or more which on the 31st day of December, 1949, are used solely for agricultural purposes and are not subdivided shall in the years 1950, 1951, 1952, 1953 and 1954 be the same amount as the taxes imposed by The Corporation of the Township of Gloucester in the year 1948 and section 42 of *The Assessment Act* shall not apply during this period, provided that, if before the 31st day of December, 1954

- (a) any such parcel of land is subdivided in whole or in part, or
- (b) any such parcel of land ceases to be wholly used for agricultural purposes, or
- (c) water service is made available

the fixation of taxation provided by this subparagraph shall, subject to the next following subparagraph, cease to apply and the parcel of land affected shall forthwith upon the happening of any of the events mentioned in clause (a), (b) or (c) above be assessed and taxed as it would have been if the fixation of taxation provided by this subparagraph had not applied to it, provided also that this subparagraph shall not apply to alterations, additions, improvements and new structures, which shall be assessed in accordance with the provisions of *The Assessment Act*; and

(2) That where water service is made available to any parcel of land entitled to fixation of taxation under the above subparagraph, the cessation of fixation shall apply only to that part of the parcel lying within 100 feet of the highway in which the water main is laid and the remainder of the parcel of land, if it otherwise complies with the requirements of the above subparagraph shall continue to be entitled to the fixation of taxation provided by such subparagraph.

(3) That all other lands in the area to be annexed which are not provided with water service on the 31st day of December, 1949, shall in the years 1950, 1951, 1952, 1953 and 1954 be taxed upon the assessment made by The Corporation of the Township of Gloucester in the year 1949, provided that if such water service is made available before the 31st day of December, 1954, the fixed assessment provided by this subparagraph shall cease to apply and upon such water service being made available the parcel of land affected shall forthwith be assessed and taxed as it would have been if the fixed assessment provided by this subparagraph had not applied to it, provided also that this subparagraph shall not apply to alterations, additions, improvements and new structures, which shall be assessed in accordance with the provisions of *The Assessment Act*.

5. (1) That all taxes imposed by The Corporation of the Township of Gloucester upon the annexed lands up to the 31st day of December, 1949, and all arrears of taxes then owing on the said lands shall remain the property of The Corporation of the Township of Gloucester.

(2) That The Corporation of the Township of Gloucester shall furnish The Corporation of the City of Ottawa with a special collector's

roll showing all arrears of taxes owing in respect of the annexed lands up to the 31st day of December, 1949, and the persons assessed therefor, and The Corporation of the City of Ottawa shall have the right to collect such arrears of taxes in the same manner and with all the rights and powers, including the right to sell lands for arrears of taxes, provided by *The Assessment Act* or any other Act, as fully and effectually as if the said taxes had been levied by The Corporation of the City of Ottawa.

(3) That The Corporation of the City of Ottawa shall pay the proceeds of the collection of such arrears of taxes to The Corporation of the Township of Gloucester after deducting therefrom the proper costs and expenses of collecting the same, and The Corporation of the City of Ottawa shall not be responsible to The Corporation of the Township of Gloucester for any of such arrears of taxes which it may be unable to collect.

(4) That The Corporation of the Township of Gloucester shall indemnify and save harmless The Corporation of the City of Ottawa from all loss, damages, costs and expenses arising from any act or omission of The Corporation of the Township of Gloucester or its officers or servants in connection with the said special collector's roll.

6. (1) That The Corporation of the Township of Gloucester shall in 1949 prepare a special voters' list under *The Voters' Lists Act* in respect of the area annexed and The Corporation of the City of Ottawa may use such list for the purpose of the election hereinafter referred to in the same manner and to the same extent as if the said list had been prepared by The Corporation of the City of Ottawa.

(2) That The Corporation of the City of Ottawa shall as soon as reasonably may be after the date of this order, hold an election at which two aldermen and two separate school trustees representing the ward referred to in paragraph 7 shall be elected for the year 1950 and all necessary proceedings in connection therewith (including the passing of a by-law or by-laws to fix times and places for nominations and polling and to appoint deputy returning officers and poll clerks) may be taken by The Corporation of the City of Ottawa prior to the 1st day of January, 1950, in the same manner and to the same extent as if the annexed lands then formed part of the City of Ottawa, or may be taken after such date.

7. That until a redivision in respect of wards is ordered by the Board, the annexed lands shall form one ward of the City of Ottawa known as Gloucester Ward.

THE BOARD FURTHER ORDERS that in the absence of an agreement being reached between Uplands Bus Lines Limited and Ottawa Transportation Commission before the 1st day of January, 1950, respecting the purchase price payable for the assets and undertaking of Uplands Bus Lines Limited, either Uplands Bus Lines Limited or Ottawa Transportation Commission may apply to the Board to determine such price.

THE BOARD FURTHER ORDERS that in the event of The Corporation of the City of Ottawa and each of the following school boards namely: The Ottawa Public School Board, The Ottawa Separate School Board and The Ottawa Collegiate Institute Board being unable to agree before the 15th day of January, 1950, on the proper distribution of school rates received in respect of lands entitled to fixation of taxation under paragraph 4 above any party may apply to the Board to determine the manner in which such distribution should be made.

THE BOARD FURTHER ORDERS that unless an objection is filed with the Board pursuant to subsections 14 and 15 of section 23 of *The Municipal Act* which is not withdrawn, this order shall come into force on the 2nd day of January, 1950.

(Signed) W. P. NEAR,  
Vice-Chairman.

*Schedule A*

ALL AND SINGULAR that certain part of the Township of Gloucester in the County of Carleton and Province of Ontario which may be more particularly described as follows:

COMMENCING at a point where the existing northeasterly limit of the City of Ottawa intersects the centre line of the channel of the Ottawa River (the same being the boundary line between the Province of Ontario and the Province of Quebec); thence easterly and along said centre line of the channel of the Ottawa River to a point where said centre line is intersected by the production northerly of a straight line drawn parallel to and distant 120 feet westerly down at right angles from the westerly limit of the road allowance between Lots 20 and 21, Concession 1 (Ottawa Front); thence southerly and along said last mentioned parallel line to a point distant 2500 feet northerly measured at right angles from the northerly limit of the road allowance between Concessions 1 and 2 (Ottawa Front); thence westerly in a straight line to the northeasterly angle of Lot 20 as shown on registered Plan number 26; thence westerly and along the northerly limit of said Lot 20 to a point distant 120 feet easterly measured at right angles from the easterly limit of the road allowance (known as the Base Line Road) between the Junction Gore and the Concessions fronting on the Ottawa River; thence southerly and along a line drawn parallel to and distant 120 feet easterly measured at right angles from the easterly limit of the said last mentioned road allowance and continued across Lots 20 to 27 inclusive as shown on said registered Plan number 26 to the southerly limit of said Lot 27; thence southerly in a straight line to the most northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 45303; thence on a bearing of North  $73^{\circ} 53'$  East magnetic a distance of 66 feet to the most northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 45305; thence on a bearing of South  $9^{\circ} 41'$  East magnetic a distance of 72 feet; thence southwesterly in a straight line a distance of 135 feet more or less to a point on the easterly limit of the Public Road known as the Cyrville Road distant 96 feet southerly from the northwesterly angle of that part of the said lot described in said instrument number 45303; thence southerly in a straight line across the said Cyrville Road to a point on the westerly limit of the said road distant 120 feet easterly measured at right angles from the easterly limit of the above mentioned Base Line Road; thence southerly along a line drawn parallel to and distant 120 feet easterly measured at right angles from the easterly limit of the said Base Line Road to a point in the northerly limit of registered Plan number 465; thence easterly and along the said northerly limit of registered Plan number 465 to the rear limit of the lots fronting on the easterly limit of the said Base Line Road; thence southerly and along the rear limit of the said lots to where the same intersects the rear limit of the lots on the northerly limit of the road allowance between Concessions 1 and 2 (Ottawa Front); thence westerly and along said northerly limit to the westerly limit of Lot 4 as shown on said registered Plan number 465; thence southerly and along the said westerly limit of Lot 4 to the northerly limit of the said road allowance between Concessions 1 and 2 (Ottawa Front); thence southerly in a straight line across said last mentioned road allowance to the northeasterly angle of Lot 3 as shown on registered Plan number 23; thence southerly and along the easterly limits of Lots 3 to 9 inclusive, to the northerly limit of George Street as shown on said registered Plan number 23; thence southerly in a straight line across said George Street to the northwesterly angle of Lot 43 as shown on registered Plan number 63; thence southerly and along the westerly limits of Lots 43 and 44 as shown on said Plan 63 to the southwesterly angle of said Lot 44; thence easterly and along the southerly limit of said Lot 44 and the same produced easterly to the westerly limit of Lot 19 as shown on said Plan number 63; thence southerly and along the westerly limit of said Lot 19 to the southwesterly angle thereof; thence easterly and along the southerly limit of said Lot 19 to the southeasterly angle thereof, being the division line between the east and west halves of Lot 27, Concession 2 (Ottawa Front); thence in a southeasterly direction along a straight line joining the said last mentioned point with the southeasterly angle of Lot 24, Concession 2 (Ottawa Front) to a point where the said

straight line intersects the easterly limit of Lot 25, Concession 2 (Ottawa Front); thence southerly and along the said easterly limit of Lot 25 and the same produced and continued southerly to the southerly limit of the right of way of the Canadian Pacific Railway; thence easterly and along the southerly limit of the said right of way of the Canadian Pacific Railway to a point distant 250 feet easterly measured from the westerly limit of Lot 21, Concession 3 (Ottawa Front); thence southerly in a straight line to the southwesterly angle of Lot 23, Concession 3 (Ottawa Front); thence southeasterly in a straight line to a point where the northerly limit of the road (known as Ridge Road) between Lots 1 and 2, Concession 6 (Rideau Front) intersects the easterly limit of the right of way of the New York Central Railway; thence southeasterly and along the easterly limit of the said right of way of the New York Central Railway to the division line between the north and south halves of Lot 2, Concession 6 (Rideau Front); thence westerly and along said last mentioned division line to a point distant 200 feet easterly measured at right angles from the easterly limit of the road allowance between Concession 5 and 6 (Rideau Front); thence southerly and along a line drawn parallel to and distant 200 feet easterly measured at right angles from the easterly limit of the said road allowance between Concessions 5 and 6 (Rideau Front) to a point on the production easterly of a straight line drawn parallel to and distant 200 feet southerly measured at right angles from the southerly limit of the road allowance between Lots 5 and 6, Concession 5 (Rideau Front); thence westerly and along said last mentioned line drawn parallel to and distant 200 feet southerly measured at right angles from the southerly limit of said road allowance between Lots 5 and 6, Concession 5 (Rideau Front) and the same continued westerly along a line drawn parallel to and distant 200 feet southerly measured at right angles from the road allowance between Lots 5 and 6, Concession 4 (Rideau Front), and Lots 5 and 6, Concession 3 (Rideau Front) to a point distant 200 feet easterly measured at right angles from the easterly limit of the said road allowance between the Gore between Concessions 2 and 3 (Rideau Front) and Concession 3 (Rideau Front); thence southerly and along a line drawn parallel to and distant 200 feet easterly measured at right angles from the easterly limit of said last mentioned road allowance to a point in the production easterly of straight line drawn parallel to and distant 200 feet southerly measured at right angles from the southerly limit of the road allowance between Concession 2 (Rideau Front) and the said Gore between Concessions 2 and 3 (Rideau Front); thence westerly and along said production and continuing westerly along said last mentioned parallel line to the easterly limit of Lot 6, Concession 2 (Rideau Front), also being the existing easterly limit of Uplands Airport; thence southerly and along the said easterly limit of Lot 6, Concession 2 (Rideau Front), to the southerly limit of the said Lot 6; thence westerly and along the southerly limit of the said Lot 6 a distance of 1576.5 feet more or less to the northeasterly angle of the lands described in instrument number 38631; thence southeasterly at right angles to the previous course a distance of 1830.1 feet; thence southwesterly at right angles to the previous course a distance of 131.6 feet; thence southeasterly at right angles to the previous course a distance of 200 feet more or less to the northwesterly limit of a lane 33 feet wide, the southeasterly limit of the said lane being the half lot line between the northwesterly and the southeasterly halves of Lot 8, Concession 2 (Rideau Front); thence southwesterly and along the said northwesterly limit of lane to a point distant 120 feet easterly measured at right angles from the easterly limit of the Bowesville Road; thence southerly and along a line drawn parallel to and distant 120 feet easterly measured at right angles from the easterly limit of the said Bowesville Road to the southerly limit of the northerly half of Lot 9, Concession 2 (Rideau Front); thence westerly and along the said southerly limit of the northerly half of Lot 9, Concession 2 (Rideau Front) and the same continued westerly across the said Bowesville Road to a point distant 2815.6 feet westerly measured along said last mentioned limit from the westerly limit of the said Bowesville Road, the said point also being the northeasterly angle of the lands described in instrument number 40203; thence on a bearing of South 19° 36' East a distance of 684 feet more or less to the southerly limit of said Lot 9, Concession 2 (Rideau Front); thence on a bearing of South 60° West along the said southerly limit of Lot 9, a distance of 1395.5 feet; thence on a bearing of North 30° 17' West a distance of 677.4 feet to the northwesterly angle of the lands in said instrument number 40203; thence continuing northerly

in a straight line along the westerly limit of the lands described in instrument number 38640 a distance of 673 feet to the southerly limit of Lot 8, Concession 2 (Rideau Front), being the northwesterly angle of the lands in said instrument number 38640, and also being the westerly limit of Uplands Airport; thence westerly and along the southerly limit of said Lot 8 and the same produced to the westerly limit of the unopened road allowance between Concessions 1 and 2 (Rideau Front); thence northerly and along the said westerly limit of the last mentioned unopened road allowance to the southerly limit of Lot 8, Concession 1 (Rideau Front); thence westerly and along the southerly limit of said Lot 8 and the same produced westerly in a straight line to the centre line of the channel of Rideau River; thence downstream in a northerly and easterly direction following the said centre line of the channel of the Rideau River to its intersection with the production westerly of the southerly limit of Lot 7, Junction Gore, the same being southerly limit of the Village of Eastview; thence easterly and along the said production of the southerly limit of said Lot 7 and continuing easterly along the southerly limit to a point in the southerly limit of said Lot 7, distant 1900 feet measured in a westerly direction from the southeast angle of said Lot 7; thence northerly and parallel to the westerly boundary of the road allowance being in the said Junction Gore and the First Concession, Ottawa Front to the northerly boundary of the Montreal Road; thence easterly and along the northerly boundary of the said Montreal Road to the southeast angle of the Village of Clandeboye; thence northerly and along the easterly boundary of the said Village to the southerly boundary of Beechwood Cemetery; thence westerly and northerly and following the boundaries of the said Cemetery, the same being the limits of the said Village of Eastview, to the easterly limit of the Village of Rockcliffe Park; thence northerly following the said easterly limit of the said Village of Rockcliffe Park and continuing easterly, and northerly, and westerly, etc., following the limits of the said Village to the southerly limit of Princess Avenue, being the northerly limit of "Rideau Hall Domain"; thence westerly and along the southerly side of Princess Avenue to a point where the easterly side of Thomas Street produced northerly would intersect said Princess Avenue; thence on a straight line running due northwest to the water's edge of the said Ottawa River; thence westerly in a direct line to the point of commencement.

## SCHEDULE C

P.F. B-8464

## THE ONTARIO MUNICIPAL BOARD

Friday, the Second day of March, A.D. 1951.

## BEFORE:

W. J. MOORE, O.L.S.,  
Vice-Chairman, and

R. HOWARD YEATES,  
Member.

IN THE MATTER OF Section 20 of  
"The Municipal Act" (R.S.O.  
1950, Chapter 243), and

IN THE MATTER OF Section 46 of  
"The Ontario Municipal Board  
Act" (R.S.O. 1950, Chapter  
262), and

IN THE MATTER OF an application  
of the Corporation of the City  
of Ottawa for an order varying  
the order of the Board dated the  
6th day of December, 1948, as  
varied by orders of the Board  
dated the 28th day of February,  
1949 and the 12th day of October,  
1949.

UPON THE APPLICATION OF the Corporation of the City of Ottawa,

THE BOARD ORDERS pursuant to Section 46 of *The Ontario Municipal Board Act* (R.S.O. 1950, Chapter 262) that Order P.F. B-8464 dated the 6th day of December, 1948 as varied by Order P.F. B-8464 dated the 28th day of February, 1949 and P.F. B-8464 dated the 12th day of October, 1949 be and the same is hereby varied:

- (a) by striking out paragraph numbered 4 and inserting in lieu thereof the following:

"4. All lands, including existing buildings and replacements thereof, in each township lot in that part of the annexed area which is bounded on the east by the westerly limit of the water area defined by By-law Number 1096 of the Corporation of the Township of Nepean as amended by By-law Number 1107 and the production southerly in a straight line of the said westerly limit to the northerly limit of Township School Section Number 12, on the south by the northerly limit of Township School Section Number 12 across Lots 26-29 inclusive, Concession 2 (Ottawa Front) and the right-of-way of the Canadian National Railway across Lots 19-25 inclusive, Concession 2 (Ottawa Front) on the west by the westerly limit of the annexed area and on the north by the northerly limit of the annexed area shall in 1949 and thereafter be assessed at the amount shown in the 1948 assessment rolls of the Corporation of the Township of Nepean until the main trunk sewer to be constructed by the Corporation of the City of Ottawa through the annexed area reaches the division line between the easterly and westerly halves of each township lot in Concession 1, after which time (when the regular annual assessment is made) all lands within the township lot in Concession 1 and the township lot bearing the same number in Concession 2 shall be assessed in accordance with the provisions of *The Assessment Act*, PROVIDED THAT in the case of lands lying to the west of the westerly terminus of the said trunk sewer as determined by the Corporation of the City of Ottawa this paragraph shall cease to apply to such lands when such sewer

reaches such terminus and such lands shall then be assessed in accordance with the provisions of *The Assessment Act*, PROVIDED ALSO that this paragraph shall not apply to alterations, additions, improvements and new structures which shall be assessed in accordance with the provisions of *The Assessment Act*.

(b) by adding after paragraph number 5 the following paragraphs:

5a. Every parcel of land in the annexed area not included in the area described in paragraph 4 or 5 or in the water area referred to in paragraph 4 shall in the years 1950, 1951, 1952, 1953 and 1954 be taxed on the same assessment as that made by the Corporation of the Township of Nepean in the year 1948, PROVIDED THAT if water service of the Corporation of the City of Ottawa is made available to the street on which the parcel of land abuts the parcel shall forthwith be assessed and taxed as it would have been if the fixed assessment provided by this paragraph had not applied to it, PROVIDED ALSO that this paragraph shall not apply to alterations, additions, improvements and new structures which shall be assessed in accordance with the provisions of *The Assessment Act*.

5b. Notwithstanding the provisions of paragraphs 4, 5 and 5a every parcel of land (as distinct from buildings and structures on land) in the annexed area held on the 31st day of December 1949 by a war veteran under an agreement with the Department of Veterans' Affairs pursuant to the provisions of *The Veterans' Land Act, 1942* (as amended) shall continue to be assessed at the amount shown in the 1948 assessment roll of the Township of Nepean until the expiration of a period of ten years after the date of the said agreement at which time such parcel of land shall forthwith be assessed and taxed in accordance with the provisions of *The Assessment Act* and the assessment of buildings and structures on such parcels of land shall be governed by the provisions of paragraph 4, 5 or 5a relating to the area in which such parcel of land is situate, PROVIDED THAT this paragraph shall not apply to alterations, additions, improvements and new structures which shall be assessed in accordance with the provisions of *The Assessment Act*.

THE BOARD FURTHER ORDERS that the amendments made by this order shall be deemed to have come into effect on the 1st day of January, 1950.

(Signed) W. J. MOORE,  
Vice-Chairman.



## SCHEDULE D

P.F. C-1563

## THE ONTARIO MUNICIPAL BOARD

Friday, the Second day of March, A.D. 1951.

BEFORE:

W. J. MOORE, O.L.S.,  
Vice-Chairman, andR. HOWARD YEATES,  
Member.IN THE MATTER OF Section 20 of  
"The Municipal Act" (R.S.O.  
1950, Chapter 243), andIN THE MATTER OF Section 46 of  
"The Ontario Municipal Board  
Act" (R.S.O. 1950, Chapter  
262), andIN THE MATTER OF an application  
of the Corporation of the City  
of Ottawa for an order varying  
the order of the Board dated  
the 9th day of December, 1949.

UPON THE APPLICATION OF the Corporation of the City of Ottawa,

THE BOARD ORDERS pursuant to Section 46 of *The Ontario Municipal Board Act* (R.S.O. 1950, Chapter 262), that Order P.F. C-1563, dated the 9th day of December, 1949, be and the same is hereby varied:

- (a) by striking out subparagraph (1) of paragraph numbered 4 and inserting in lieu thereof the following:

(1) That every parcel of land separately assessed in the area to be annexed consisting of five acres or more and used solely for agricultural purposes on the 31st day of December, 1949, shall in the years 1950, 1951, 1952, 1953 and 1954 be taxed at the same rate at which it was taxed by the Corporation of the Township of Gloucester in the year 1948, and Section 42 of *The Assessment Act* shall not apply during this period, provided that if after the 31st day of December, 1949, and before the 31st day of December, 1954,

(i) a parcel of land is subdivided by registered plan, or

(ii) a parcel of land ceases to be wholly used for agricultural purposes, or

(iii) water service is made available to a parcel of land, the fixation of taxation provided by this paragraph shall, subject to subparagraphs (1a) and (2), cease to apply to such parcel of land and it shall forthwith be assessed and taxed as it would have been if the fixation of taxation provided by this subparagraph had not applied to it; provided also that this subparagraph shall not apply to local improvement rates nor, except in the case of the replacement or alteration of a farm house or other farm building in any area now or hereafter zoned solely for agricultural purposes shall it apply to alterations, additions, improvements and new structures, which shall be assessed in accordance with the provisions of *The Assessment Act*.

- (b) by adding after subparagraph (1) of paragraph number 4 the following subparagraph:

(1a) That where any parcel of land entitled to fixation of taxation under subparagraph (1) is only partially subdivided by

registered plan after the 31st day of December, 1949, the cessation of fixation shall apply only to the subdivided part and the remainder of the parcel, if it contains five acres or more in area and otherwise complies with the requirements of subparagraph (1), shall continue to be entitled to the fixation of taxation provided by such subparagraph.

- (c) by adding at the end of paragraph numbered 4 the following subparagraph:

(4) That notwithstanding any other provision of this paragraph, every parcel of land (as distinct from buildings and structures on land) in the area to be annexed held on the 31st day of December, 1949 by a war veteran under an agreement with the Department of Veterans' Affairs, pursuant to the provisions of *The Veterans' Land Act, 1942* (as amended) shall continue to be assessed at the amount shown in the 1949 assessment roll of the Township of Gloucester until the expiration of a period of ten years after the date of the said agreement, at which time such parcel of land shall forthwith be assessed and taxed in accordance with the provisions of *The Assessment Act*, and the assessment of buildings and structures on such parcels of land shall be governed by the provisions of this paragraph relating to the area in which the parcel of land is situate, provided that this paragraph shall not apply to alterations, additions, improvements and new structures, which shall be assessed in accordance with the provisions of *The Assessment Act*.

THE BOARD FURTHER ORDERS that the amendments made by this order shall be deemed to have come into effect on the 2nd day of January, 1950.

(Signed) W. J. MOORE,  
Vice Chairman.









BILL

An Act respecting the City of Ottawa

*1st Reading*

February 13th, 1951

*2nd Reading*

*3rd Reading*

MR. MORROW

*(Reprinted as amended by the Committee on  
Private Bills)*

No. 24

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Ottawa

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MR. MORROW

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TORONTO  
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No. 24

1951

# BILL

## An Act respecting the City of Ottawa

**W**HEREAS the Corporation of the City of Ottawa by its petition has prayed for special legislation in respect of the several matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Orders of the Ontario Municipal Board P.F. B-8464 dated the 12th day of October, 1949, P.F. C-1563 dated the 9th day of December, 1949, P.F. B-8464 dated the 2nd day of March, 1951, and P.F. C-1563 dated the 2nd day of March, 1951, set out as Schedules A, B, C and D hereto respectively, are hereby confirmed. Municipal Board orders re annexation confirmed.

**2.** The acquisition by Ottawa Transportation Commission of the transportation system of Eastview Bus Service Limited by the purchase of the capital stock of Eastview Bus Service Limited and of Greenberg and Bessin Holdings Limited is hereby ratified and confirmed. Acquisition of bus system confirmed.

**3.—(1)** Clause *a* of subsection 1 of section 4 of *The City of Ottawa Act, 1950* is amended by inserting after the word "Act" in the tenth line the words "and for such purposes the Corporation of the City of Ottawa may exercise all the powers conferred upon a township by section 64 of the said Act". 1950, c. 109, s. 4, subs. 1, cl. a, amended.

**(2)** Clause *b* of subsection 1 of the said section 4 is amended by adding at the end thereof the words "and the Corporation of the Township of Gloucester shall be deemed to have had, and the Corporation of the City of Ottawa shall have, authority to include as part of the said works the installation of private drains and water service pipes between the street lines and the buildings erected on the abutting properties". 1950, c. 109, s. 4, subs. 1, cl. a, amended.

**4.** This Act shall come into force on the day it receives the Royal Assent. Commencement.

**5.** This Act may be cited as *The City of Ottawa Act, 1951*. Short title.

## SCHEDULE A

P.F. B-8464

## THE ONTARIO MUNICIPAL BOARD

Wednesday, the Twelfth day of October, A.D. 1949.

## BEFORE:

R. S. COLTER, K.C.,  
Chairman, andW. J. MOORE, O.L.S.,  
Member.IN THE MATTER OF Section 23 of  
"The Municipal Act" (R.S.O.  
1937, Chapter 266) (as enacted  
by O.S. 1939, Chapter 30, Sec-  
tion 2, and amended and re-  
enacted by O.S. 1947, Chapter  
69, Section 2 (1), andIN THE MATTER OF an application  
by The Corporation of the City  
of Ottawa for the annexation  
thereto of certain lands in the  
Township of Nepean.

UPON THE APPLICATION OF The Corporation of the City of Ottawa,  
The Corporation of the County of Carleton and The Corporation of the  
Township of Nepean consenting thereto;

THE BOARD ORDERS pursuant to Section 49 of *The Ontario Municipal  
Board Act* (R.S.O. 1937, Chapter 60) that Order P.F. B-8464, dated the  
6th day of December, 1948, as varied by Order dated the 28th day of  
February, 1949, be and the same is hereby further varied,—

(a) by striking out the schedule thereto and inserting in lieu thereof  
Schedule "A" to this Order;

(b) by adding to paragraph nine (9) of the said Order the following  
subparagraph:

" (3) The easterly ward shall be known as 'Westboro Ward' and  
the westerly ward shall be known as 'Carleton Ward'."

(Seal)

(Signed) R. S. COLTER,  
Chairman.*Schedule A*

ALL AND SINGULAR that certain part of the Township of Nepean  
in the County of Carleton and Province of Ontario which may be more  
particularly described as follows:

COMMENCING at a point where the division line between Lots 17 and  
18, Concession 1 (Ottawa Front), intersects the southerly shore-line of the  
Ottawa River; thence southerly and along the said division line and the  
same produced to its intersection with the southerly limit of the road  
allowance between Concessions 1 and 2 (Ottawa Front); thence easterly  
and along the southerly limit of the said road allowance between Con-  
cession 1 and 2 (Ottawa Front) to its intersection with the division line  
between Lots 18 and 19, Concession 2 (Ottawa Front); thence southerly and  
along the division line between said Lots 18 and 19, Concession 2 (Ottawa  
Front) and the same produced in a straight line across the road allowance  
between Concession 2 (Ottawa Front) and Concession 3 (Rideau Front) to  
a point distant 120 feet southerly measured at right angles from the  
southerly limit of the said last mentioned road allowance; thence easterly  
along a line drawn parallel to and distant 120 feet southerly measured at

right angles from the southerly limit of the said road allowance between Concession 2 (Ottawa Front) and Concessions 3, 2 and 1 (Rideau Front), the said road allowance being commonly known as the Base Line Road, to its point of intersection with the division line between the easterly and westerly halves of Lot 35, Concession 1 (Rideau Front), the said division line also being the westerly boundary of a plan registered in the Registry Office for the County of Carleton as number 375; thence northerly along said last mentioned division line to its intersection with the centre line of a 10 foot laneway lying between the said road allowance, known as the Base Line Road and Granton Avenue, as shown on said registered Plan number 375; thence easterly along the centre line of the said 10 foot laneway and the same produced and continued across Cordova Street, Bassano Street, Pender Street and St. Helen's Place, all as shown on said Plan 375 to its intersection with the westerly limit of Lot 2390 as shown on said Plan 375; thence northerly along the westerly limit of said Lot 2390 to the northerly limit thereof; thence easterly along the northerly limit of said Lot 2390 to the westerly limit of the road allowance between Concessions 1 and A (Rideau Front); thence northerly along the westerly limit of the said last mentioned road allowance to a point distant 120 feet southerly when measured at right angles from the southerly limit of the said Base Line Road; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the road allowance between Lots 35 and N, Concession A (Rideau Front), commonly known as the said Base Line Road, to its intersection with the westerly limit of Lot 20 as shown on a plan registered in the Registry Office for the County of Carleton as number 30; thence southerly along said last mentioned westerly limit to a point in said westerly limit distant 175 feet more or less southerly measured from the northerly limit of said Lot 20, the said last mentioned point being the northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 59735; thence easterly along the northerly limit of the lands in said instrument number 59735 a distance of 330 feet more or less to the easterly limit of said Lot 20; thence northerly along the easterly limit of said Lot 20 to a point distant 120 feet southerly, measured at right angles from the southerly limit of the said road allowance, known as the Base Line Road; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the said Base Line Road to the westerly limit of Lot 16, as shown on said Plan number 30; thence southerly along the westerly limit of said Lot 16 to a point in said westerly limit distant 150 feet southerly from the northerly limit of said Lot 16, the said last mentioned point being the northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 52501; thence easterly along the northerly limit of the lands described in said instrument number 52501 and the same produced and continued in a straight line to a point in the westerly limit of the lands described in a deed from one Alexander Labeau to Henry Leaver dated January 23, 1933, and registered in the Registry Office for the County of Carleton as number 43610, the said last mentioned point being distant 150 feet southerly measured along the said westerly limit of the lands described in said instrument number 43610; thence southerly along the westerly limit of the lands described in said instrument number 43610 to the northerly limit of the macadamized road, known as the Merivale Road, which crosses the said lot; thence easterly along the northerly limit of the said macadamized road, known as the Merivale Road, to a point in said limit distant 120 feet southerly when measured at right angles from the southerly limit of the said road allowance between Lots 35 and N, Concession A (Rideau Front), known as the Base Line Road; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the said last mentioned road allowance to its intersection with the southerly limit of the said macadamized road, known as the Merivale Road; thence easterly along the southerly limit of the said last mentioned road to its intersection with the northeasterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 54986; thence southerly along the easterly limit of the lands in said instrument number 54986 to a point in said easterly limit distant 120 feet southerly measured at right angles from the southerly limit of the said road allowance between Lots 35 and N, Concession A (Rideau Front), known as the Base Line Road; thence

easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the said last mentioned road allowance to a point distant 120 feet westerly measured at right angles from the westerly limit of the road allowance between Concessions A and B (Rideau Front), the said last mentioned road allowance being more commonly known as Fisher Avenue; thence southerly along a line drawn parallel to and distant 120 feet westerly measured at right angles from the westerly limit of the said last mentioned road allowance to a point distant 120 feet southerly measured at right angles from the southerly limit of the travelled road through Lot 31, Concession A (Rideau Front), commonly known as the Ottawa Dairy Sideroad; thence easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the said last mentioned travelled road and continuing easterly along a line drawn parallel to and distant 120 feet southerly measured at right angles from the southerly limit of the travelled road through Lot 31, Concession B (Rideau Front) and its production easterly in a straight line to the centre line of the channel of the Rideau River; thence downstream in a northerly and easterly direction following the centre of the channel of the said Rideau River to the westerly limit of Bronson Avenue produced; thence northerly along the production of and the westerly limit of Bronson Avenue to the centre of the channel of the Rideau Canal; thence southwesterly and following the centre of the channel of the Rideau Canal to the westerly limit of the right of way of the Canadian Pacific Railway; thence northwesterly and following the said westerly limit of the right of way of the Canadian Pacific Railway to the southerly limit of Carling Avenue; thence westerly along the southerly limit of Carling Avenue to the easterly limit of Fisher Avenue; thence southerly and along the easterly limit of Fisher Avenue to a point opposite the production easterly in a straight line of the division line between the north and south halves of Lot K, Concession A (Rideau Front); thence westerly and along the last mentioned division line to a point distant 379.9 feet easterly from the easterly limit of the Merivale Road; thence northerly and parallel with the easterly limit of the Merivale Road a distance of 412.5 feet; thence southwesterly in a straight line to a point on the easterly limit of the Merivale Road distant 294.22 feet southerly from the southerly limit of Anna Street; thence northerly along the easterly limit of the Merivale Road to the southerly limit of Carling Avenue; thence westerly along the southerly limit of Carling Avenue to the production southerly of the division line between Lots 33 and 34, Concession 1 (Ottawa Front); thence northerly and along said division line between Lots 33 and 34 and the same continued northerly along the centre line of Western Avenue to the northerly limit of Scott Street; thence easterly along the northerly limit of Scott Street to the westerly limit of Parkdale Avenue; thence northerly along the westerly limit of Parkdale Avenue and its production northerly to the boundary line between the Province of Ontario and the Province of Quebec (being the centre of the channel of the Ottawa River); thence in a westerly direction following the said Interprovincial Boundary Line to a point opposite the production northerly in a straight line of the division line between Lots 17 and 18, Concession 1 (Ottawa Front); thence southerly and along said last mentioned division line to the point of commencement.

## SCHEDULE B

P.F. C-1563

## THE ONTARIO MUNICIPAL BOARD

Friday, the Ninth day of December, A.D. 1949.

## BEFORE:

W. P. NEAR, B.A.Sc.,  
Vice-Chairman, and

R. HOWARD YEATES,  
Member.

IN THE MATTER OF SECTION 23 of  
"The Municipal Act" (R.S.O.  
1937, Chapter 266), (as re-  
enacted by O.S. 1939, Chapter 30,  
Section 2 and as amended by  
O.S. 1947, Chapter 69, Section 2),  
and;

IN THE MATTER OF an application  
by The Corporation of the City  
of Ottawa and Township of  
Gloucester for annexation to the  
City of Ottawa approximately  
14,605 acres of the Township of  
Gloucester in the County of  
Carleton more particularly des-  
cribed in Schedule "A" attached  
hereto.

Upon the application of The Corporation of the City of Ottawa and of the Corporation of the Township of Gloucester in the presence of counsel for the Applicants, counsel for the Corporation of the County of Carleton, counsel for the Ottawa Public School Board, counsel for the Ottawa Separate School Board, counsel for Uplands Bus Line Limited, counsel for Eastview Bus Service Limited and counsel for certain owners of property within the area proposed to be annexed and of certain property owners and residents of the Township of Gloucester who appeared in person and upon reading By-law No. 138-49 of The Corporation of the City of Ottawa and By-law No. 46-49 of The Corporation of the Township of Gloucester, filed with the Board, authorizing this application and upon hearing evidence adduced at a public hearing held at Ottawa on Thursday, the 10th day of November, 1949, pursuant to notice given in accordance with the direction of the Board, and upon hearing what was alleged by counsel aforesaid and by the aforesaid property owners and residents.

THE BOARD ORDERS under and pursuant to section 23 of *The Municipal Act* (R.S.O. 1937, Chapter 266) (as re-enacted by O.S. 1939, Chapter 30, Section 2 and as amended and re-enacted by O.S. 1947, Chapter 69, Section 2) that that part of the Township of Gloucester described in Schedule "A" hereto be and the same is hereby annexed to the City of Ottawa.

## THE BOARD FURTHER ORDERS:

1. That the lands annexed to the City of Ottawa by this order (hereinafter referred to as the "annexed lands") shall be added to the assessment rolls of the City of Ottawa for the year 1949 and, subject to the exemptions provided by any act, and except as hereinafter provided, shall be liable to taxation by The Corporation of the City of Ottawa in the year 1950 and thereafter at the same rates as other lands in the City of Ottawa.

2. That the assessment of the annexed lands made by The Corporation of the Township of Gloucester in the year 1949, including business assessment, as finally revised and confirmed, together with all additions to the assessment rolls under the provisions of section 57a of *The Assessment Act*

shall, subject to the provisions of paragraph 4 below, be the assessment upon which The Corporation of the City of Ottawa shall levy taxation in respect of the said lands in the year 1950.

3. (1) That all proceedings under *The Assessment Act* in respect of the said assessments made by The Corporation of the Township of Gloucester in 1949 which have not been completed by the Court of Revision of the Township of Gloucester on the 31st day of December, 1949, shall be continued and completed by such court as if the annexed lands had not been annexed to the City of Ottawa.

(2) That prior to the 1st day of January, 1950, all such proceedings shall be conducted on behalf of the municipality by The Corporation of the Township of Gloucester and on and after such date all such proceedings shall be conducted on behalf of the municipality by The Corporation of the City of Ottawa.

4. (1) That taxes other than local improvement rates upon all parcels of land in the area to be annexed consisting of five acres or more which on the 31st day of December, 1949, are used solely for agricultural purposes and are not subdivided shall in the years 1950, 1951, 1952, 1953 and 1954 be the same amount as the taxes imposed by The Corporation of the Township of Gloucester in the year 1948 and section 42 of *The Assessment Act* shall not apply during this period, provided that, if before the 31st day of December, 1954

- (a) any such parcel of land is subdivided in whole or in part, or
- (b) any such parcel of land ceases to be wholly used for agricultural purposes, or
- (c) water service is made available

the fixation of taxation provided by this subparagraph shall, subject to the next following subparagraph, cease to apply and the parcel of land affected shall forthwith upon the happening of any of the events mentioned in clause (a), (b) or (c) above be assessed and taxed as it would have been if the fixation of taxation provided by this subparagraph had not applied to it, provided also that this subparagraph shall not apply to alterations, additions, improvements and new structures, which shall be assessed in accordance with the provisions of *The Assessment Act*; and

(2) That where water service is made available to any parcel of land entitled to fixation of taxation under the above subparagraph, the cessation of fixation shall apply only to that part of the parcel lying within 100 feet of the highway in which the water main is laid and the remainder of the parcel of land, if it otherwise complies with the requirements of the above subparagraph shall continue to be entitled to the fixation of taxation provided by such subparagraph.

(3) That all other lands in the area to be annexed which are not provided with water service on the 31st day of December, 1949, shall in the years 1950, 1951, 1952, 1953 and 1954 be taxed upon the assessment made by The Corporation of the Township of Gloucester in the year 1949, provided that if such water service is made available before the 31st day of December, 1954, the fixed assessment provided by this subparagraph shall cease to apply and upon such water service being made available the parcel of land affected shall forthwith be assessed and taxed as it would have been if the fixed assessment provided by this subparagraph had not applied to it, provided also that this subparagraph shall not apply to alterations, additions, improvements and new structures, which shall be assessed in accordance with the provisions of *The Assessment Act*.

5. (1) That all taxes imposed by The Corporation of the Township of Gloucester upon the annexed lands up to the 31st day of December, 1949, and all arrears of taxes then owing on the said lands shall remain the property of The Corporation of the Township of Gloucester.

(2) That The Corporation of the Township of Gloucester shall furnish The Corporation of the City of Ottawa with a special collector's

roll showing all arrears of taxes owing in respect of the annexed lands up to the 31st day of December, 1949, and the persons assessed therefor, and The Corporation of the City of Ottawa shall have the right to collect such arrears of taxes in the same manner and with all the rights and powers, including the right to sell lands for arrears of taxes, provided by *The Assessment Act* or any other Act, as fully and effectually as if the said taxes had been levied by The Corporation of the City of Ottawa.

(3) That The Corporation of the City of Ottawa shall pay the proceeds of the collection of such arrears of taxes to The Corporation of the Township of Gloucester after deducting therefrom the proper costs and expenses of collecting the same, and The Corporation of the City of Ottawa shall not be responsible to The Corporation of the Township of Gloucester for any of such arrears of taxes which it may be unable to collect.

(4) That The Corporation of the Township of Gloucester shall indemnify and save harmless The Corporation of the City of Ottawa from all loss, damages, costs and expenses arising from any act or omission of The Corporation of the Township of Gloucester or its officers or servants in connection with the said special collector's roll.

6. (1) That The Corporation of the Township of Gloucester shall in 1949 prepare a special voters' list under *The Voters' Lists Act* in respect of the area annexed and The Corporation of the City of Ottawa may use such list for the purpose of the election hereinafter referred to in the same manner and to the same extent as if the said list had been prepared by The Corporation of the City of Ottawa.

(2) That The Corporation of the City of Ottawa shall as soon as reasonably may be after the date of this order, hold an election at which two aldermen and two separate school trustees representing the ward referred to in paragraph 7 shall be elected for the year 1950 and all necessary proceedings in connection therewith (including the passing of a by-law or by-laws to fix times and places for nominations and polling and to appoint deputy returning officers and poll clerks) may be taken by The Corporation of the City of Ottawa prior to the 1st day of January, 1950, in the same manner and to the same extent as if the annexed lands then formed part of the City of Ottawa, or may be taken after such date.

7. That until a redivision in respect of wards is ordered by the Board, the annexed lands shall form one ward of the City of Ottawa known as Gloucester Ward.

THE BOARD FURTHER ORDERS that in the absence of an agreement being reached between Uplands Bus Lines Limited and Ottawa Transportation Commission before the 1st day of January, 1950, respecting the purchase price payable for the assets and undertaking of Uplands Bus Lines Limited, either Uplands Bus Lines Limited or Ottawa Transportation Commission may apply to the Board to determine such price.

THE BOARD FURTHER ORDERS that in the event of The Corporation of the City of Ottawa and each of the following school boards namely: The Ottawa Public School Board, The Ottawa Separate School Board and The Ottawa Collegiate Institute Board being unable to agree before the 15th day of January, 1950, on the proper distribution of school rates received in respect of lands entitled to fixation of taxation under paragraph 4 above any party may apply to the Board to determine the manner in which such distribution should be made.

THE BOARD FURTHER ORDERS that unless an objection is filed with the Board pursuant to subsections 14 and 15 of section 23 of *The Municipal Act* which is not withdrawn, this order shall come into force on the 2nd day of January, 1950.

(Signed) W. P. NEAR,  
Vice-Chairman.

*Schedule A*

ALL AND SINGULAR that certain part of the Township of Gloucester in the County of Carleton and Province of Ontario which may be more particularly described as follows:

COMMENCING at a point where the existing northeasterly limit of the City of Ottawa intersects the centre line of the channel of the Ottawa River (the same being the boundary line between the Province of Ontario and the Province of Quebec); thence easterly and along said centre line of the channel of the Ottawa River to a point where said centre line is intersected by the production northerly of a straight line drawn parallel to and distant 120 feet westerly down at right angles from the westerly limit of the road allowance between Lots 20 and 21, Concession 1 (Ottawa Front); thence southerly and along said last mentioned parallel line to a point distant 2500 feet northerly measured at right angles from the northerly limit of the road allowance between Concessions 1 and 2 (Ottawa Front); thence westerly in a straight line to the northeasterly angle of Lot 20 as shown on registered Plan number 26; thence westerly and along the northerly limit of said Lot 20 to a point distant 120 feet easterly measured at right angles from the easterly limit of the road allowance (known as the Base Line Road) between the Junction Gore and the Concessions fronting on the Ottawa River; thence southerly and along a line drawn parallel to and distant 120 feet easterly measured at right angles from the easterly limit of the said last mentioned road allowance and continued across Lots 20 to 27 inclusive as shown on said registered Plan number 26 to the southerly limit of said Lot 27; thence southerly in a straight line to the most northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 45303; thence on a bearing of North 73° 53' East magnetic a distance of 66 feet to the most northwesterly angle of the lands described in an instrument registered in the Registry Office for the County of Carleton as number 45305; thence on a bearing of South 9° 41' East magnetic a distance of 72 feet; thence southwesterly in a straight line a distance of 135 feet more or less to a point on the easterly limit of the Public Road known as the Cyrville Road distant 96 feet southerly from the northwesterly angle of that part of the said lot described in said instrument number 45303; thence southerly in a straight line across the said Cyrville Road to a point on the westerly limit of the said road distant 120 feet easterly measured at right angles from the easterly limit of the above mentioned Base Line Road; thence southerly along a line drawn parallel to and distant 120 feet easterly measured at right angles from the easterly limit of the said Base Line Road to a point in the northerly limit of registered Plan number 465; thence easterly and along the said northerly limit of registered Plan number 465 to the rear limit of the lots fronting on the easterly limit of the said Base Line Road; thence southerly and along the rear limit of the said lots to where the same intersects the rear limit of the lots on the northerly limit of the road allowance between Concessions 1 and 2 (Ottawa Front); thence westerly and along said northerly limit to the westerly limit of Lot 4 as shown on said registered Plan number 465; thence southerly and along the said westerly limit of Lot 4 to the northerly limit of the said road allowance between Concessions 1 and 2 (Ottawa Front); thence southerly in a straight line across said last mentioned road allowance to the northeasterly angle of Lot 3 as shown on registered Plan number 23; thence southerly and along the easterly limits of Lots 3 to 9 inclusive, to the northerly limit of George Street as shown on said registered Plan number 23; thence southerly in a straight line across said George Street to the northwesterly angle of Lot 43 as shown on registered Plan number 63; thence southerly and along the westerly limits of Lots 43 and 44 as shown on said Plan 63 to the southwesterly angle of said Lot 44; thence easterly and along the southerly limit of said Lot 44 and the same produced easterly to the westerly limit of Lot 19 as shown on said Plan number 63; thence southerly and along the westerly limit of said Lot 19 to the southwesterly angle thereof; thence easterly and along the southerly limit of said Lot 19 to the southeasterly angle thereof, being the division line between the east and west halves of Lot 27, Concession 2 (Ottawa Front); thence in a southeasterly direction along a straight line joining the said last mentioned point with the southeasterly angle of Lot 24, Concession 2 (Ottawa Front) to a point where the said



straight line intersects the easterly limit of Lot 25, Concession 2 (Ottawa Front); thence southerly and along the said easterly limit of Lot 25 and the same produced and continued southerly to the southerly limit of the right of way of the Canadian Pacific Railway; thence easterly and along the southerly limit of the said right of way of the Canadian Pacific Railway to a point distant 250 feet easterly measured from the westerly limit of Lot 21, Concession 3 (Ottawa Front); thence southerly in a straight line to the southwesterly angle of Lot 23, Concession 3 (Ottawa Front); thence southeasterly in a straight line to a point where the northerly limit of the road (known as Ridge Road) between Lots 1 and 2, Concession 6 (Rideau Front) intersects the easterly limit of the right of way of the New York Central Railway; thence southeasterly and along the easterly limit of the said right of way of the New York Central Railway to the division line between the north and south halves of Lot 2, Concession 6 (Rideau Front); thence westerly and along said last mentioned division line to a point distant 200 feet easterly measured at right angles from the easterly limit of the road allowance between Concession 5 and 6 (Rideau Front); thence southerly and along a line drawn parallel to and distant 200 feet easterly measured at right angles from the easterly limit of the said road allowance between Concessions 5 and 6 (Rideau Front) to a point on the production easterly of a straight line drawn parallel to and distant 200 feet southerly measured at right angles from the southerly limit of the road allowance between Lots 5 and 6, Concession 5 (Rideau Front); thence westerly and along said last mentioned line drawn parallel to and distant 200 feet southerly measured at right angles from the southerly limit of said road allowance between Lots 5 and 6, Concession 5 (Rideau Front) and the same continued westerly along a line drawn parallel to and distant 200 feet southerly measured at right angles from the road allowance between Lots 5 and 6, Concession 4 (Rideau Front), and Lots 5 and 6, Concession 3 (Rideau Front) to a point distant 200 feet easterly measured at right angles from the easterly limit of the said road allowance between the Gore between Concessions 2 and 3 (Rideau Front) and Concession 3 (Rideau Front); thence southerly and along a line drawn parallel to and distant 200 feet easterly measured at right angles from the easterly limit of said last mentioned road allowance to a point in the production easterly of straight line drawn parallel to and distant 200 feet southerly measured at right angles from the southerly limit of the road allowance between Concession 2 (Rideau Front) and the said Gore between Concessions 2 and 3 (Rideau Front); thence westerly and along said production and continuing westerly along said last mentioned parallel line to the easterly limit of Lot 6, Concession 2 (Rideau Front), also being the existing easterly limit of Uplands Airport; thence southerly and along the said easterly limit of Lot 6, Concession 2 (Rideau Front), to the southerly limit of the said Lot 6; thence westerly and along the southerly limit of the said Lot 6 a distance of 1576.5 feet more or less to the northeasterly angle of the lands described in instrument number 38631; thence southeasterly at right angles to the previous course a distance of 1830.1 feet; thence southwesterly at right angles to the previous course a distance of 131.6 feet; thence south-easterly at right angles to the previous course a distance of 200 feet more or less to the northwesterly limit of a lane 33 feet wide, the southeasterly limit of the said lane being the half lot line between the northwesterly and the southeasterly halves of Lot 8, Concession 2 (Rideau Front); thence southwesterly and along the said northwesterly limit of lane to a point distant 120 feet easterly measured at right angles from the easterly limit of the Bowesville Road; thence southerly and along a line drawn parallel to and distant 120 feet easterly measured at right angles from the easterly limit of the said Bowesville Road to the southerly limit of the northerly half of Lot 9, Concession 2 (Rideau Front); thence westerly and along the said southerly limit of the northerly half of Lot 9, Concession 2 (Rideau Front) and the same continued westerly across the said Bowesville Road to a point distant 2815.6 feet westerly measured along said last mentioned limit from the westerly limit of the said Bowesville Road, the said point also being the northeasterly angle of the lands described in instrument number 40203; thence on a bearing of South 19° 36' East a distance of 684 feet more or less to the southerly limit of said Lot 9, Concession 2 (Rideau Front); thence on a bearing of South 60° West along the said southerly limit of Lot 9, a distance of 1395.5 feet; thence on a bearing of North 30° 17' West a distance of 677.4 feet to the northwesterly angle of the lands in said instrument number 40203; thence continuing northerly

in a straight line along the westerly limit of the lands described in instrument number 38640 a distance of 673 feet to the southerly limit of Lot 8, Concession 2 (Rideau Front), being the northwesterly angle of the lands in said instrument number 38640, and also being the westerly limit of Uplands Airport; thence westerly and along the southerly limit of said Lot 8 and the same produced to the westerly limit of the unopened road allowance between Concessions 1 and 2 (Rideau Front); thence northerly and along the said westerly limit of the last mentioned unopened road allowance to the southerly limit of Lot 8, Concession 1 (Rideau Front); thence westerly and along the southerly limit of said Lot 8 and the same produced westerly in a straight line to the centre line of the channel of Rideau River; thence downstream in a northerly and easterly direction following the said centre line of the channel of the Rideau River to its intersection with the production westerly of the southerly limit of Lot 7, Junction Gore, the same being southerly limit of the Village of Eastview; thence easterly and along the said production of the southerly limit of said Lot 7 and continuing easterly along the southerly limit to a point in the southerly limit of said Lot 7, distant 1900 feet measured in a westerly direction from the southeast angle of said Lot 7; thence northerly and parallel to the westerly boundary of the road allowance being in the said Junction Gore and the First Concession, Ottawa Front to the northerly boundary of the Montreal Road; thence easterly and along the northerly boundary of the said Montreal Road to the southeast angle of the Village of Clandeboye; thence northerly and along the easterly boundary of the said Village to the southerly boundary of Beechwood Cemetery; thence westerly and northerly and following the boundaries of the said Cemetery, the same being the limits of the said Village of Eastview, to the easterly limit of the Village of Rockcliffe Park; thence northerly following the said easterly limit of the said Village of Rockcliffe Park and continuing easterly, and northerly, and westerly, etc., following the limits of the said Village to the southerly limit of Princess Avenue, being the northerly limit of "Rideau Hall Domain"; thence westerly and along the southerly side of Princess Avenue to a point where the easterly side of Thomas Street produced northerly would intersect said Princess Avenue; thence on a straight line running due northwest to the water's edge of the said Ottawa River; thence westerly in a direct line to the point of commencement.

## SCHEDULE C

P.F. B-8464

## THE ONTARIO MUNICIPAL BOARD

Friday, the Second day of March, A.D. 1951.

## BEFORE:

W. J. MOORE, O.L.S.,  
Vice-Chairman, and

R. HOWARD YEATES,  
Member.

IN THE MATTER OF Section 20 of  
"The Municipal Act" (R.S.O.  
1950, Chapter 243), and

IN THE MATTER OF Section 46 of  
"The Ontario Municipal Board  
Act" (R.S.O. 1950, Chapter  
262), and

IN THE MATTER OF an application  
of the Corporation of the City  
of Ottawa for an order varying  
the order of the Board dated the  
6th day of December, 1948, as  
varied by orders of the Board  
dated the 28th day of February,  
1949 and the 12th day of October,  
1949.

UPON THE APPLICATION OF the Corporation of the City of Ottawa,

THE BOARD ORDERS pursuant to Section 46 of *The Ontario Municipal Board Act* (R.S.O. 1950, Chapter 262) that Order P.F. B-8464 dated the 6th day of December, 1948 as varied by Order P.F. B-8464 dated the 28th day of February, 1949 and P.F. B-8464 dated the 12th day of October, 1949 be and the same is hereby varied:

- (a) by striking out paragraph numbered 4 and inserting in lieu thereof the following:

"4. All lands, including existing buildings and replacements thereof, in each township lot in that part of the annexed area which is bounded on the east by the westerly limit of the water area defined by By-law Number 1096 of the Corporation of the Township of Nepean as amended by By-law Number 1107 and the production southerly in a straight line of the said westerly limit to the northerly limit of Township School Section Number 12, on the south by the northerly limit of Township School Section Number 12 across Lots 26-29 inclusive, Concession 2 (Ottawa Front) and the right-of-way of the Canadian National Railway across Lots 19-25 inclusive, Concession 2 (Ottawa Front) on the west by the westerly limit of the annexed area and on the north by the northerly limit of the annexed area shall in 1949 and thereafter be assessed at the amount shown in the 1948 assessment rolls of the Corporation of the Township of Nepean until the main trunk sewer to be constructed by the Corporation of the City of Ottawa through the annexed area reaches the division line between the easterly and westerly halves of each township lot in Concession 1, after which time (when the regular annual assessment is made) all lands within the township lot in Concession 1 and the township lot bearing the same number in Concession 2 shall be assessed in accordance with the provisions of *The Assessment Act*, PROVIDED THAT in the case of lands lying to the west of the westerly terminus of the said trunk sewer as determined by the Corporation of the City of Ottawa this paragraph shall cease to apply to such lands when such sewer

reaches such terminus and such lands shall then be assessed in accordance with the provisions of *The Assessment Act*, PROVIDED ALSO that this paragraph shall not apply to alterations, additions, improvements and new structures which shall be assessed in accordance with the provisions of *The Assessment Act*.

(b) by adding after paragraph number 5 the following paragraphs:

5a. Every parcel of land in the annexed area not included in the area described in paragraph 4 or 5 or in the water area referred to in paragraph 4 shall in the years 1950, 1951, 1952, 1953 and 1954 be taxed on the same assessment as that made by the Corporation of the Township of Nepean in the year 1948, PROVIDED THAT if water service of the Corporation of the City of Ottawa is made available to the street on which the parcel of land abuts the parcel shall forthwith be assessed and taxed as it would have been if the fixed assessment provided by this paragraph had not applied to it, PROVIDED ALSO that this paragraph shall not apply to alterations, additions, improvements and new structures which shall be assessed in accordance with the provisions of *The Assessment Act*.

5b. Notwithstanding the provisions of paragraphs 4, 5 and 5a every parcel of land (as distinct from buildings and structures on land) in the annexed area held on the 31st day of December 1949 by a war veteran under an agreement with the Department of Veterans' Affairs pursuant to the provisions of *The Veterans' Land Act, 1942* (as amended) shall continue to be assessed at the amount shown in the 1948 assessment roll of the Township of Nepean until the expiration of a period of ten years after the date of the said agreement at which time such parcel of land shall forthwith be assessed and taxed in accordance with the provisions of *The Assessment Act* and the assessment of buildings and structures on such parcels of land shall be governed by the provisions of paragraph 4, 5 or 5a relating to the area in which such parcel of land is situate, PROVIDED THAT this paragraph shall not apply to alterations, additions, improvements and new structures which shall be assessed in accordance with the provisions of *The Assessment Act*.

THE BOARD FURTHER ORDERS that the amendments made by this order shall be deemed to have come into effect on the 1st day of January, 1950.

(Signed) W. J. MOORE,  
Vice-Chairman.

## SCHEDULE D

P.F. C-1563

## THE ONTARIO MUNICIPAL BOARD

Friday, the Second day of March, A.D. 1951.

## BEFORE:

W. J. MOORE, O.L.S.,  
Vice-Chairman, andR. HOWARD YEATES,  
Member.IN THE MATTER OF Section 20 of  
"The Municipal Act" (R.S.O.  
1950, Chapter 243), andIN THE MATTER OF Section 46 of  
"The Ontario Municipal Board  
Act" (R.S.O. 1950, Chapter  
262), andIN THE MATTER OF an application  
of the Corporation of the City  
of Ottawa for an order varying  
the order of the Board dated  
the 9th day of December, 1949.

UPON THE APPLICATION OF the Corporation of the City of Ottawa,

THE BOARD ORDERS pursuant to Section 46 of *The Ontario Municipal Board Act* (R.S.O. 1950, Chapter 262), that Order P.F. C-1563, dated the 9th day of December, 1949, be and the same is hereby varied:

- (a) by striking out subparagraph (1) of paragraph numbered 4 and inserting in lieu thereof the following:

(1) That every parcel of land separately assessed in the area to be annexed consisting of five acres or more and used solely for agricultural purposes on the 31st day of December, 1949, shall in the years 1950, 1951, 1952, 1953 and 1954 be taxed at the same rate at which it was taxed by the Corporation of the Township of Gloucester in the year 1948, and Section 42 of *The Assessment Act* shall not apply during this period, provided that if after the 31st day of December, 1949, and before the 31st day of December, 1954,

(i) a parcel of land is subdivided by registered plan, or

(ii) a parcel of land ceases to be wholly used for agricultural purposes, or

(iii) water service is made available to a parcel of land, the fixation of taxation provided by this paragraph shall, subject to subparagraphs (1a) and (2), cease to apply to such parcel of land and it shall forthwith be assessed and taxed as it would have been if the fixation of taxation provided by this subparagraph had not applied to it; provided also that this subparagraph shall not apply to local improvement rates nor, except in the case of the replacement or alteration of a farm house or other farm building in any area now or hereafter zoned solely for agricultural purposes shall it apply to alterations, additions, improvements and new structures, which shall be assessed in accordance with the provisions of *The Assessment Act*.

- (b) by adding after subparagraph (1) of paragraph number 4 the following subparagraph:

(1a) That where any parcel of land entitled to fixation of taxation under subparagraph (1) is only partially subdivided by

registered plan after the 31st day of December, 1949, the cessation of fixation shall apply only to the subdivided part and the remainder of the parcel, if it contains five acres or more in area and otherwise complies with the requirements of subparagraph (1), shall continue to be entitled to the fixation of taxation provided by such subparagraph.

- (c) by adding at the end of paragraph numbered 4 the following subparagraph:

(4) That notwithstanding any other provision of this paragraph, every parcel of land (as distinct from buildings and structures on land) in the area to be annexed held on the 31st day of December, 1949 by a war veteran under an agreement with the Department of Veterans' Affairs, pursuant to the provisions of *The Veterans' Land Act, 1942* (as amended) shall continue to be assessed at the amount shown in the 1949 assessment roll of the Township of Gloucester until the expiration of a period of ten years after the date of the said agreement, at which time such parcel of land shall forthwith be assessed and taxed in accordance with the provisions of *The Assessment Act*, and the assessment of buildings and structures on such parcels of land shall be governed by the provisions of this paragraph relating to the area in which the parcel of land is situate, provided that this paragraph shall not apply to alterations, additions, improvements and new structures, which shall be assessed in accordance with the provisions of *The Assessment Act*.

THE BOARD FURTHER ORDERS that the amendments made by this order shall be deemed to have come into effect on the 2nd day of January, 1950.

(Signed) W. J. MOORE,  
Vice Chairman.



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## BILL

An Act respecting the City of Ottawa

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*1st Reading*

February 13th, 1951

*2nd Reading*

March 12th, 1951

*3rd Reading*

March 14th, 1951

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MR. MORROW

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1951

No. 25

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the Town of Hespeler

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MR. ISLEY

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

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# BILL

## An Act respecting the Town of Hespeler

**W**HEREAS the Corporation of the Town of Hespeler Preamble. by its petition has represented that the Town has for many years formed a portion of the County of Waterloo and is desirous of withdrawing from the County and becoming a separated municipality; and whereas the Town has notified the council of the County of its intention to apply for the passing of an Act withdrawing it from the County; and whereas the council of the Town on the 2nd day of December, 1950, did submit for the opinion of the electors of the Town the question "Are you in favour of the Town of Hespeler withdrawing from the County of Waterloo, and becoming a separated municipality?", upon which question 837 of the electors voted in the affirmative and 63 of the electors voted in the negative, and by reason thereof the petitioner has prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpretation.

(a) "Town" means the Town of Hespeler;

(b) "County" means the County of Waterloo.

**2. On and after the 1st day of January, 1952, the Town** Town withdrawn from County. shall be withdrawn and for municipal purposes shall be separated from the County.

**3. On and after the 1st day of January, 1952, the costs** Liability of Town re court house, etc. Rev. Stat., c. 243. and expenses of the County court house and jail and of all other matters and things set forth in section 373 of *The Municipal Act* shall be borne and paid as between the County and the Town as provided in that Act.

**4. The provisions of *The Municipal Act* in relation to** Application of Rev. Stat., c. 243. matters consequent upon the formation of a new corporation

and as to the adjustment of assets and liabilities as between the corporation of a county and the corporation of a town, not being a separated town, which is erected into a city, shall apply as between the County and the Town except that subsection 6 of section 36 of that Act shall be deemed not to apply.

Town  
council.

**5.**—(1) After the year 1951 the council of the Town shall be composed of a mayor and six councillors, and shall be elected in the manner provided in *The Municipal Act* for the council of a town in a county, except there shall be no reeve or deputy reeve.

Election  
of 1952  
council.

(2) The election of the council of the Town for the year 1952 and all proceedings incidental thereto shall be held in the manner provided for in the by-laws of the Town in effect on the 1st day of November, 1951, except that no reeve or deputy reeve shall be elected for 1952.

Commence-  
ment.

**6.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**7.** This Act may be cited as *The Town of Hespeler Act, 1951*.



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BILL

An Act respecting the Town of Hespeler

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*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. ISLEY

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*(Private Bill)*

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Oshawa

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MR. THOMAS (Ontario)

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(PRIVATE BILL)

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TORONTO

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# BILL

## An Act respecting the City of Oshawa

**W**HEREAS the Corporation of the City of Oshawa by Preamble.  
its petition has prayed for special legislation in respect  
of the several matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** Order P.F. C-2042 of the Ontario Municipal Board Annexation  
dated the 9th day of November, 1950, set forth as Schedule A <sup>order</sup> confirmed.  
hereto, is hereby confirmed.

**2.** The said Order shall be deemed to have had effect on <sup>Effective</sup>  
and after the 1st day of January, 1951. <sub>date.</sub>

**3.** The agreement between the Corporation of the City of Agreement  
Oshawa and the Corporation of the Township of East Whitby validated.  
dated the 18th day of December, 1950, set forth as Schedule B  
hereto, is ratified and confirmed and declared to be legal,  
valid and binding upon the parties thereto, and the said  
parties are hereby empowered to carry out their respective  
obligations and exercise their respective privileges thereunder.

**4.** The supplementary agreement between the Corporation <sup>Idem.</sup>  
of the City of Oshawa and the Corporation of the Township of  
East Whitby dated the 26th day of December, 1950, set forth  
as Schedule C hereto, is ratified and confirmed and declared  
to be legal, valid and binding upon the parties thereto, and the  
said parties are hereby empowered to carry out their respective  
obligations and exercise their respective privileges thereunder.

**5.** The agreement between the Corporation of the City of <sup>Idem.</sup>  
Oshawa and the Corporation of the County of Ontario dated  
the 18th day of December, 1950, set forth as Schedule D  
hereto, is ratified and confirmed and declared to be legal,  
valid and binding upon the parties thereto, and the said parties

are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

Bus  
operators.  
Rev. Stat.,  
c. 243.

6. Nothing herein contained shall limit the powers of the Ontario Municipal Board under clause *f* of subsection 9 of section 20 of *The Municipal Act*.

1922, c. 122,  
amended.

7. *An Act respecting the Town of Oshawa*, being chapter 122 of the Statutes of Ontario, 1922, is amended by adding thereto the following sections:

Application  
of Rev. Stat.,  
c. 215, to  
watermains.

5a. Notwithstanding anything contained herein, where it is intended to proceed under this Act to undertake the construction of watermains, section 8 of *The Local Improvement Act* shall apply *mutatis mutandis* to the proceedings under this Act, and no such construction of watermains shall be undertaken except in accordance with the said section of *The Local Improvement Act*.

Appeals,  
jurisdiction  
of court  
of revision.

5b. In every such case an appeal shall lie at the instance of an owner affected by any such by-law in the same manner as in the case of local improvements and the court of revision shall have jurisdiction *mutatis mutandis* similar to the jurisdiction conferred upon it relating to local improvement assessments by *The Local Improvement Act* and in addition jurisdiction to exempt from the special rates imposed under the terms of this Act for a period not exceeding three years any agricultural lands which in the opinion of the court should not be called upon to bear any part of the cost of such watermains, and provided further that the court shall have power to renew such exemptions from time to time for like or shorter periods upon the application of any interested owner.

Commence-  
ment.

8. This Act shall come into force on the day it receives the Royal Assent.

Short title.

9. This Act may be cited as *The City of Oshawa Act, 1951*.

## SCHEDULE A

P.F. C-2042

Thursday, the ninth day of November, A.D. 1950

BEFORE:

W. J. MOORE, O.L.S.,  
Vice-Chairman,

—and—

C. D. WIGHT, B.Sc., O.L.S.,  
Member.

IN THE MATTER OF "The Municipal Act" (R.S.O. 1937, Chapter 266) and amending Acts, and

IN THE MATTER OF the application of the Corporation of the City of Oshawa and the Corporation of the Township of East Whitby for annexation to the City of Oshawa of certain lands in the Township of East Whitby.

UPON THE JOINT APPLICATION of the Corporation of the City of Oshawa and the Corporation of the Township of East Whitby coming on for hearing before this Board in the Council Chamber at the City Hall in the City of Oshawa on the 27th day of June, 1950, and in the presence of Counsel for the City of Oshawa, Counsel for the Corporation of the County of Ontario, Counsel for certain interested property owners and a number of members of Council and officers of the City of Oshawa, the County of Ontario, and the Township of East Whitby, and a number of property owners and residents of the said municipalities who appeared in person;

AND UPON reading By-law No. 2754 of the City of Oshawa and By-law No. 1437 of the Township of East Whitby, authorizing an application for annexation of part of the Township of East Whitby to the City of Oshawa;

AND UPON certified copies of such by-laws being duly filed with the Board;

AND UPON hearing what was alleged by Counsel aforesaid and by a number of the said members of Council and other officers and other interested persons;

AND UPON being satisfied that public notice of the hearing had been given as directed by the Board;

I. THE BOARD ORDERS under and in pursuance of Section 23 of *The Municipal Act* and amendments thereto that that part of the Township of East Whitby described in Schedule A to this Order (hereinafter referred to as "the annexed area") be and the same is hereby annexed to the City of Oshawa.

## II. THE BOARD FURTHER ORDERS AS FOLLOWS:

1. Subject to the provisions of sub-section 14 of Section 23 of *The Municipal Act* and amendments thereto this Order shall come into effect on the first day of January, A.D. 1951.

2. The taxes, assessments, rents, water, school and other rates, including business taxes, in respect of the annexed area to be levied by the City of Oshawa (hereinafter referred to as "the City") in respect of the annexed area shall from and after January 1, A.D. 1951, be the same and be payable at the same time and in the same manner as taxes, assessments, rents, water, school and other rates, including business taxes, levied and raised from time to time on property within the City (other than the annexed area) and the owners and occupants thereof.

3. The Township of East Whitby (hereinafter referred to as "the Township") shall assess the annexed area and persons occupying lands in the annexed area for business purposes for taxation for the year 1951

at the same time and in the same manner as other assessments are made within the boundaries of the Township for taxes payable for the year 1951, and that portion of the Assessment Roll of the Township relating to the annexed area for taxation for the year 1951 shall be delivered to the City and shall be incorporated by the City in the City's Assessment Roll for taxation for the year 1951 and shall be used and employed for such taxation purposes in the same manner and to the same extent as though such assessment had been prepared and completed by the Assessor of the City and the said annexed area had been within the limits of the City at the time of such assessment. Such assessments shall nevertheless be subject to appeal to the Court of Revision of the Township and to such further appeal in accordance with the provisions of *The Assessment Act* and amending statutes to the same extent as though this Order had not been made.

4. The whole rateable property within the annexed area according to the said assessment shall be subject to levy by the City for taxes for the year 1951 in the same manner and to the same extent as other lands in the City.

5. The Township shall at all reasonable times allow the City, its servants and agents, access to the Assessment Rolls of the Township insofar as they relate to the annexed area, and to all local improvement by-laws and local improvement assessment rolls relating thereto, and also to all plans, surveys and maps relating to the annexed area.

6. (a) All taxes, including business taxes, imposed by the Township on or with respect to the annexed area up to December 31st, 1950, and due and unpaid at the first day of January, A.D. 1951 shall belong to the City.

(b) The Township shall prepare and furnish to the City a special Collectors Roll showing all arrears of taxes including business taxes or special rates assessed against or with respect to the annexed area to December 31st, A.D. 1950, and remaining unpaid and the name of the persons liable for payment of the same. The City shall have the right to collect and shall collect such arrears of taxes, including business taxes, in the same manner and with all the rights and powers, including the right to sell lands for arrears of taxes, provided by *The Assessment Act* or any other Act as fully and effectually as though the said taxes had been levied by the City.

7. The present assessments of all lands within the annexed area having an area of not less than two acres or more than eight acres and used solely for agricultural purposes are to continue for a period of five years from January 1st, A.D. 1951, unless within that period the lands are sub-divided, in which case this fixation of assessment shall terminate. The present assessments of all lands within the annexed area having an area of more than eight acres and used solely for agricultural purposes shall continue for a period of ten years from January 1st, A.D. 1951, unless the same are sub-divided within that period, in which case this fixation of assessment shall terminate. This paragraph shall not apply to alterations, additions, improvements and new structures which shall be assessed in accordance with the provisions of *The Assessment Act*.

8. The election to be held in the year 1950 by the Township for the Council of the Township for 1951 and all proceedings in connection therewith shall be held as if the annexed area did not form part of the Township.

9. The Township shall in 1950 prepare a special Voters' List under *The Voters' Lists Act* in respect of the annexed area, and the City may use such list for the purpose of the election of the Council, the Board of Education and the Public Utilities Commission of the City for the year 1951 in the same manner and to the same extent as if the said list had been prepared as part of the Voters' List of the City for the year 1950 and as if the annexed area were part of the City at the time of the preparation of the said list and at the time of the said election. The persons shown on the said special Voters' List to be entitled to vote at municipal elections and the persons shown thereon to be entitled to be candidates at such elections shall respectively be entitled, if otherwise qualified by law, to



vote and to be candidates at the election of the Council, the Board of Education and the Public Utilities Commission of the City for the year 1951.

10. Subject to any by-law hereafter enacted by the Council of the City the annexed area shall be deemed to be an additional ward of the City to be known as Ward Number 6, and the Council of the Corporation of the City shall accordingly be enlarged by two additional Aldermen, and all necessary by-laws shall be deemed to have been passed and enacted and all other necessary acts and things done to enable the City to conduct an election for the year 1951 for a Council to include twelve Aldermen to be elected by a general vote in the same manner as if the City had heretofore included the annexed area and had been divided into six wards.

11. The Councils of the City and the Township respectively may pass by-laws re-arranging and re-numbering the Polling Sub-divisions of the respective municipalities in accordance with the altered boundaries as determined by this Order in the same manner and having the same force and validity as though the annexed area were part of the City and not part of the Township.

12. All matters relating to assessment of the annexed area and the preparation of the Assessment Roll for the taxation year 1951 according to Paragraph 3 of this Order, and all matters relating to municipal elections in the Township and in the City and the preparation of Voters Lists and the conduct of elections in both municipalities, and in particular the provisions of Paragraphs 8, 9, 10 and 11 of this Order, shall be valid and binding notwithstanding the date at which this Order becomes effective and for such purposes this Order shall be deemed to have been in full force and effect prior to the time when such proceedings were had and taken.

13. All right, title and interest of the Township and of the County of Ontario in the highways and streets in the annexed area, together with any and all right, title and interest in any public improvements made by or at the expense of the Township or County of Ontario therein, and in any franchises or agreements heretofore given and made, insofar only as they affect the operations of the said highways and streets in the annexed area, shall vest in the City as and from the first day of January, 1951.

14. From and after the effective date of this Order the jurisdiction of the Public Utilities Commission of the City of Oshawa in the supply of water and electric power shall extend to the annexed area as fully as it existed within the boundaries of the City before this Order was made, and all residents within the annexed area shall be entitled to receive water and electric services insofar as such services are available for the same charges and upon the same terms as other residents of the City.

15. The Township will continue to provide the ordinary municipal services to the annexed area until the effective date of this Order.

16. All debenture debt of the Township outstanding at the effective date of this Order relating to local improvements made in the annexed area shall be assumed and paid by the City. Where such local improvement indebtedness relates to the installation of watermains such indebtedness shall be assumed and paid by the City without imposing and collecting further local improvement rates or assessment. In all other cases the City shall be entitled to recover all local improvement rates and assessments owing from and after the effective date of this Order to the same extent as if the improvement had been made and all necessary by-laws passed by the City and to the same extent as the Township would have been entitled to recover the same if this Order had not been made.

17. Any payments commuted and paid in advance by property owners with respect to local improvement charges for watermains will be repaid to them or their successors in title to the extent that such payments are in excess of the annual assessment to the effective date of this Order.

18. A sum of money amounting to \$15,186.11 in the hands of the Treasurer of the Township, representing reserve of unapplied prepayments

on local improvement charges for watermain, shall be paid over to the Public Utilities Commission of the City of Oshawa and applied by the Commission to the refund of any such commuted payments and to the reduction of the indebtedness on watermain debenture charges.

19. Any local improvements in progress for which at the effective date of this Order debentures have not been issued will be assumed by the City and the City will repay to the Township any funds paid out on account of such improvements and the City will assume any outstanding loans with relation to such expenditures and will complete any such work remaining unfinished. Any unexpended proceeds of debenture issues will be paid by the Township to the City.

20. Upon the effective date of this Order the school sites and buildings, together with contents thereof and other assets the property of the Public School Boards of Union School Sections Number 4 and 5 in the Townships of Whitby and East Whitby shall become the property of the Board of Education for the City of Oshawa and shall be conveyed upon request by the Trustees of the said Union School Sections accordingly. Pupils resident in those parts of the said Union School Sections now in the Township of Whitby, up to a maximum of fifty pupils in all, may continue to attend the said schools upon payment of an amount per pupil not exceeding two-thirds of the maximum fees which the Board of Education for the City of Oshawa would be entitled to charge for pupils attending its public schools from other points outside the City, and this provision shall remain operative with respect to each of the said Union School Sections respectively so long as the school appertaining to such Section continues to be operated by the said Board of Education.

21. Upon the said Board of Education ceasing to operate either of the said schools as a public school then the School so discontinued shall be and become the property of that part of the Union School Section concerned lying within the Township of Whitby and title to the lands and buildings and contents shall be transferred accordingly for the nominal consideration of \$1.00 to the Township of Whitby or to any Board entitled to represent the portion of such Union School Section in the Township of Whitby.

22. Upon either of such school properties being no longer operated as public schools and upon conveyance thereof as aforesaid to the Township of Whitby or the appropriate school board then the rights of pupils resident in the portion of such Union School Section within the Township of Whitby to attend Oshawa schools at preferred rates shall cease.

23. Upon the effective date of this Order the school site and buildings together with all contents thereof and other property and assets of the Public School Board of Union School Section Number 6 for the Townships of East Whitby and Darlington shall become the property of the Board of Education for the City of Oshawa and shall be conveyed upon request by the Trustees of the said Union School Section accordingly.

24. The City shall pay to the Township of Darlington the sum of \$1,964.09, being the amount of principal and interest paid by the said Township upon the debenture debt relating to the said Union School Section Number 6 and will assume and discharge all future payments both for principal and interest upon the said debenture debt.

25. No pupils from the Township of Darlington shall after the effective date of this Order be entitled to attend the said school except as non-resident pupils upon the usual terms.

26. All such adjustments of assets and liabilities as between the municipalities, including the County of Ontario affected by this Order shall be made between such municipalities as they may agree among themselves and in the event of the said interested municipalities not being able to agree upon such adjustments then any of the said municipalities may apply to this Board to determine the matter by further Order. The rights and claims of all parties affected by this Order under the provisions of *The Public Schools Act*, including School Sections and Union School Sections located in whole or in part in the annexed area, shall be adjusted

and settled by agreement between the Board of Education for the City of Oshawa and the other parties thereby affected including the Trustees of the said School Sections, and in default of such an adjustment being agreed upon then the provisions of Section 38 of *The Public Schools Act* shall apply except as provided by paragraphs 20 to 25 inclusive of this Order.

27. Any matter properly the subject of adjustment between or among parties affected by this Order and not covered by the terms of this Order shall not by reason of such omission be deemed to have been waived by any of the municipalities or other parties affected but shall be adjusted from time to time on a fair and equitable basis by and between the said affected parties and failing agreement accordingly shall be determined by Order of this Board upon the application of any such interested municipality or other party.

(Seal)

(Sgd.) W. J. MOORE,  
Vice-Chairman.

#### *Schedule A*

ALL AND SINGULAR those certain parcels or tracts of lands and premises, situate, lying and being in the Township of East Whitby, in the County of Ontario, and being composed of parts of the Broken Front, First, Second, Third and Fourth Concessions in the said Township of East Whitby, and being more particularly described as follows: Commencing at a point where the easterly limit of Lot 10 in the Broken Front Concession of the Township of East Whitby meets the water's edge of Lake Ontario; thence northerly along the easterly limit of said Lot 10 in the Broken Front Concession two thousand nine hundred and eighty-four feet four inches to a point; thence south seventy-six degrees fifty-three minutes thirty seconds west ninety-seven feet seven inches to a point; thence north forty-two degrees thirty-six minutes thirty seconds west one hundred and seventy-seven feet eleven inches to a point; thence north eighty-seven degrees thirty-two minutes west one hundred and ten feet four inches to a point; thence north twenty-five degrees three minutes west two hundred and forty-seven feet five inches to a point; thence north six degrees eleven minutes west one hundred and eleven feet two inches to a point; thence north fifty-five degrees fifty-three minutes, thirty seconds west seventy-five feet two inches to a point; thence north thirty-four degrees thirty-five minutes thirty seconds west one hundred and eighty-eight feet nine inches to a point; thence north forty degrees seven minutes west one hundred and twenty-seven feet to a point in the southerly limit of Thomas Street; thence into and along Thomas Street in a westerly direction to its intersection with Cedar Street; thence northerly along Cedar Street to a point opposite the northerly limit of Lot 3 as marked on Registered Plan 180; thence westerly along the said northerly limit of said Lot 3 and its production westerly to the westerly limit of Reserve Block A on said Registered Plan; thence northerly along said westerly limit of said Reserve Block A on said plan to Glen Street; thence northerly along Glen Street to the northerly limit thereof; thence northerly along the westerly limit of Lot C-30 according to Sheet 31 of the Municipal Plan of the City of Oshawa to the lands of the Canadian National Railway Company; thence westerly along the southerly limit of the Canadian National Railway Company's lands to Park Road; thence northerly along Park Road to the northerly extremity thereof at Gibbs Avenue; thence continuing northerly along the westerly limit of Lot C-2 according to Sheet 11 of the Municipal Plan of the City of Oshawa to the Concession Road between the Second and Third Concessions in the said Township of East Whitby, said Concession Road being now known as Rossland Road; thence easterly along Rossland Road to Wilson Road; thence southerly along Wilson Road to the Base Line Road, now known as Bloor Street; thence continuing southerly along the unopened allowance for road between Township Lot 6 in the Broken Front Concession of the Township of East Whitby and Township Lot 7 in the said Broken Front Concession now in the City of Oshawa to Harbour Road; thence in an easterly direction along Harbour Road to a road between Lots 5 and 6 in the Broken Front Concession known as Lyman Road; thence along Lyman Road to its southerly ex-

tremity; thence from a point at the south-easterly extremity of Lyman Road on a course south forty-three degrees twenty minutes forty-five seconds east seven hundred and fourteen feet three and one-half inches more or less to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the allowance for road between the Township of East Whitby and the Township of Darlington, being the boundary between the Counties of Ontario and Durham; thence northerly along the said road marking the County line to a point opposite the line dividing the north and south halves of Lot 1 in the Second Concession of the said Township of East Whitby; thence westerly along the line dividing the north and south halves of Lots 1, 2, 3, 4 and 5 in the said Second Concession of the Township of East Whitby to the westerly limit of said Lot 5; thence northerly along the line dividing Lots 5 and 6 in the said Second Concession of the Township of East Whitby to the northerly limit of the said Second Concession; thence continuing across the Concession Road between the Second and Third Concessions of the Township of East Whitby and along the line dividing Lots 5 and 6 in the Third Concession of the said Township of East Whitby to a point one thousand six hundred and fifty feet north of the said Concession Road between the said Second and Third Concessions; thence westerly parallel with the said Concession Road to and across the road dividing Lots 6 and 7 in the Third Concession of the Township of East Whitby to the line dividing Lots 7 and 8 in the said Third Concession; thence northerly along the line dividing said Lots 7 and 8 in the Third Concession to and across the road dividing the Third and Fourth Concessions in the said Township of East Whitby and continuing along the line dividing Lots 7 and 8 in the Fourth Concession to a point midway between the south and north limits of the said Fourth Concession; thence westerly on a line parallel with the Concession Road dividing the Third and Fourth Concessions to the easterly limit of the Township of Whitby; thence southerly along the easterly limit of the Township of Whitby to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the place of beginning.

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## SCHEDULE B

ARTICLES OF AGREEMENT made in duplicate this 18th day of December, 1950.

BETWEEN:

THE CORPORATION OF THE CITY OF OSHAWA, herein-  
after called the City,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF EAST WHITBY,  
hereinafter called the Township,

OF THE SECOND PART.

WHEREAS upon the application of the City and the Township the Ontario Municipal Board has by its Order dated the 9th day of November, 1950, directed the annexation to the City of that portion of the Township of East Whitby named in the said Order and hereinafter more particularly described in Schedule A to this agreement;

AND WHEREAS by the terms of the said Order it is provided that all such adjustments of assets and liabilities as are properly the subject of adjustment between such municipalities shall be made as such municipalities may agree among themselves, or in default of such agreement as the Board may order;

AND WHEREAS it has been agreed by and between the parties hereto as hereinafter set out;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree to and with each other as follows:

1. For the purposes of this agreement the term "annexed area" shall mean the lands covered by the Order of annexation of the Ontario Municipal Board hereinbefore referred to and more particularly described in Schedule A to this agreement; "Board" shall mean the Ontario Municipal Board; "Order of the Board" shall mean the Order of annexation hereinbefore referred to dated the 9th day of November, 1950.

2. All lands within the annexed area belonging to the Township (other than highways and streets, title to which is provided for in paragraph 13 of the Order of the Board), subject nevertheless to the provisions hereinafter set out with respect to schools and school sites, shall belong to the City and shall be conveyed to the City by the Township upon request. For greater certainty the said lands so to be conveyed shall be deemed to include lands belonging to the Township and being used at the date of the Order of the Board as parks or recreation areas. The City shall be required to compensate the Township for such real property, other than parks and recreation areas, at a valuation to be agreed upon by the Assessors of the City and the Township, or in default of such agreement to be fixed by the Board.

3. All other fixed assets and equipment of the Township, including real property (except the Township Hall and its site at the Village of Columbus, school properties and tax sale lands outside the annexed area), office equipment, road machinery and motor vehicles, gravel pit, tile plant, Medical Officer's supplies and equipment and other assets of a like nature, shall be retained by the Township or sold by the Township if it so elects within six months after the effective date of the Order of the Board. Insofar as the Township elects to retain such property, a valuation shall be placed upon the same by agreement between the two municipalities, or failing such agreement shall be fixed by the Board. In any event the

Township shall be liable to compensate the City on the basis of the valuation or sale price as the case may be. The valuation of road machinery and equipment and the Township garage shall for the purposes of this agreement be reduced by 50 per cent by reason of the subsidies paid by the Province of Ontario to the Township and invested in the purchase thereof. The Township Hall and site at the Village of Columbus, the school properties and tax sale lands outside the annexed area shall not be the subject of compensation and shall remain the property of the Township and the School Sections interested.

4. In all accounting between the Township and the City with relation to fixed assets, being the assets covered by paragraphs 2 and 3 of this agreement, the City's share of such assets for the purposes of this agreement shall be 71.876% and the Township's share 28.124%.

5. For the purposes of this agreement current assets shall be construed to mean cash on hand and on deposit in bank accounts (saving always as herein otherwise provided), current supplies on hand, subsidies receivable, accounts receivable, prepaid expenses and taxes receivable including arrears of taxes. The Township shall be liable to account to the City for the value of all current assets and the City's share of such accounting shall be 76.821% and the Township's share 23.179%.

6. Taxes receivable including arrears of taxes as referred to in paragraph 5 shall mean and include all taxes owing upon lands within the annexed area at December 31st, 1950, including penalties accrued to that date, and on and after January 1st, 1951, all such taxes including penalties shall belong to and be payable to the City, and in the accounting between the City and the Township shall be charged to the City at their full face value as current assets transferred to the City's account.

7. Notwithstanding anything herein contained to the contrary the Township lands within the annexed area which have come into the possession of the Township by reason of tax sales heretofore conducted shall be transferred and conveyed to the City at a valuation of \$6,725.00, providing however that in the event of the sale of any such lands before the effective date of the Order of the Board the portion of such valuation relating to such lands so sold shall be deducted from the total valuation for the purposes of accounting between the City and the Township and the funds received from such sale shall be divided in the same manner as current assets.

8. The City in the adjustment of accounts shall pay to the Township one-half the cost of the assessment of the Township for the year 1950, but such payment shall be computed as part of the cash on hand for the purposes of adjustment of assets.

9. Accounts payable by the Township as owing and unpaid at December 31st, 1950, shall be paid by the Township and an amount representing 76.821% thereof shall be charged to the City in the accounting between the City and the Township.

10. Upon the taking of accounts as hereinbefore provided between the City and the Township, the one party shall be liable to compensate the other in cash to balance the said accounts. The effective date with respect to which all such accounting shall be computed shall be the effective date of annexation, the first day of January, 1951. Any balance payable by either party to the other shall be settled and paid on or before the 31st day of December, 1951.

11. The City shall assume and pay from and after the first day of January, 1951, charges and expenses for what is known as aftercare of tubercular patients discharged from sanatoria being charged and imposed in accordance with *The Sanatoria for Consumptives Act* and any other charges under the said Act for which the Township would otherwise be liable but for the Order of the Board with respect to persons whose residence is traceable to the annexed area.

The City shall also assume and pay from and after the first day of January, 1951, the costs of unemployment relief under the provisions of

*The Unemployment Relief Act* relating to persons whose residence is defined in the said Act and the regulations made thereunder as traceable to the annexed area.

12. All school sites and buildings including those portions of Union School Sections with their sites and buildings lying within the annexed area shall from and after the first day of January, 1951, be deemed to be a part of the City of Oshawa for school purposes and shall belong to and be administered by the Board of Education for the City of Oshawa. For greater certainty the School Sections hereby affected are the following, namely: School Sections No. 1, 10 and 11 of the Township of East Whitby, and Union School Sections No. 4 and 5 of the Townships of East Whitby and Whitby and Union School Section No. 6 of the Townships of East Whitby and Darlington. With respect to the said Union School Sections the terms of the Order of the Board shall apply as they affect the disposition of the said respective school sites and property. In all the said School Sections including the said Union School Sections, the school site and property shall be transferred and conveyed to the Board of Education for the City of Oshawa upon request by the Trustees for the time being in office in the respective sections.

13. The City shall assume and discharge the outstanding debenture debt owing with respect to all of the said School Sections, being the following, namely:

Union School Section No. 6—By-law 973, 1925, 30 years,  $5\frac{1}{2}\%$ , originally \$8,500.00, at the end of 1950—\$2,497.47.

Union School Section No. 6—By-law 1373, 1948, 5 years,  $2\frac{1}{2}\%$ , \$3,000.00, at the end of 1950—\$1,840.00.

School Section No. 1—By-law 957, 1924, 30 years, 5%, \$40,000.00, at the end of 1950—\$9,226.77.

School Section No. 10—By-law 972, 1925, 30 years,  $5\frac{1}{2}\%$ , \$50,000.00, at the end of 1950—\$14,690.93.

School Section No. 10—By-law 1021, 1928, 30 years,  $5\frac{1}{2}\%$ , \$36,000.00, at the end of 1950—\$15,690.69.

School Section No. 11—By-law 1022, 1928, 30 years,  $5\frac{1}{2}\%$ , \$34,000.00, at the end of 1950—\$14,818.97.

School Section No. 11—By-law 1400, 1948, 20 years,  $3\frac{1}{2}\%$ , \$87,000.00, at the end of 1950—\$81,000.00.

14. School rates collected by the Township during 1950 and earlier shall be paid as far as they are due to local School Sections before the end of 1950. Any balances on hand and unpaid at the first day of January, 1951, to any School Board in the annexed area shall be paid over to the Board of Education for the City of Oshawa. Local School Boards in the annexed area shall cease to exist on the first day of January, 1951, and all surpluses, if any, in the hands of such Boards shall belong to the Board of Education for the City of Oshawa and shall be paid over to that Board. All debts and liabilities of such Boards remaining unpaid at the first day of January, 1951, shall be the obligations of the Board of Education for the City of Oshawa. All contracts of employment with employees of Local School Boards shall be assumed by the Board of Education for the City of Oshawa.

15. The East Whitby High School District shall be adjusted to conform to the boundaries of the two municipalities as fixed by the Order of the Board and all necessary adjustments of payments shall be made accordingly. Any surplus or deficit in the operations for 1950 will be adjusted between the City and the Township on the same basis as current assets and liabilities.

16. It is further declared and agreed by and between the parties hereto that the Order of the Board together with this agreement is in-

tended to constitute the basis of settlement of all matters relating to annexation as defined by the Order of the Board, but that any matter properly the subject of adjustment between or among the said parties and not covered by the terms of the Order of the Board and of this agreement shall not by reason of such omission be deemed to have been waived by any of the municipalities or other parties affected but shall be the subject from time to time of further negotiation and adjustment on a fair and equitable basis between the said affected parties and failing agreement accordingly shall be determined by Order of the Board upon the application of any interested municipality or other party, and it is agreed that notwithstanding any Statutory provision to the contrary lapse of time shall not be a bar to any such negotiation and adjustment or application to the Board.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested by the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

(Seal)

(Seal)

THE CORPORATION OF THE CITY  
OF OSHAWA:

MICHAEL STARR  
F. E. HARE

THE CORPORATION OF THE TOWNSHIP  
OF EAST WHITBY:

WM. E. NOBLE  
D. F. WILSON

#### *Schedule A*

To agreement dated the 18th day of December, 1950,  
between the Corporation of the City of Oshawa and  
the Corporation of the Township of East Whitby.

ALL AND SINGULAR those certain parcels or tracts of lands and premises, situate, lying and being in the Township of East Whitby, in the County of Ontario, and being composed of parts of the Broken Front, First, Second, Third and Fourth Concessions in the said Township of East Whitby, and being more particularly described as follows: Commencing at a point where the easterly limit of Lot 10 in the Broken Front Concession of the Township of East Whitby meets the water's edge of Lake Ontario; thence northerly along the easterly limit of said Lot 10 in the Broken Front Concession two thousand nine hundred and eighty-four feet four inches to a point; thence south seventy-six degrees fifty-three minutes thirty seconds west ninety-seven feet seven inches to a point; thence north forty-two degrees thirty-six minutes thirty seconds west one hundred and seventy-seven feet eleven inches to a point; thence north eighty-seven degrees thirty-two minutes west one hundred and ten feet four inches to a point; thence north twenty-five degrees three minutes west two hundred and forty-seven feet five inches to a point; thence north six degrees eleven minutes west one hundred and eleven feet two inches to a point; thence north fifty-five degrees fifty-three minutes, thirty seconds west seventy-five feet two inches to a point; thence north thirty-four degrees thirty-five minutes thirty seconds west one hundred and eighty-eight feet nine inches to a point; thence north forty degrees seven minutes west one hundred and twenty-seven feet to a point in the southerly limit of Thomas Street; thence into and along Thomas Street in a westerly direction to its intersection with Cedar Street; thence northerly along Cedar Street to a point opposite the northerly limit of Lot 3 as marked on Registered Plan 180; thence westerly along the said northerly limit of said Lot 3 and its production westerly to the westerly limit of Reserve Block A on said Registered Plan; thence northerly along said westerly limit of said Reserve



Block A on said plan to Glen Street; thence northerly along Glen Street to the northerly limit thereof; thence northerly along the westerly limit of Lot C-30 according to Sheet 31 of the Municipal Plan of the City of Oshawa to the lands of the Canadian National Railway Company; thence westerly along the southerly limit of the Canadian National Railway Company's lands to Park Road; thence northerly along Park Road to the northerly extremity thereof at Gibbs Avenue; thence continuing northerly along the westerly limit of Lot C-2 according to Sheet 11 of the Municipal Plan of the City of Oshawa to the Concession Road between the Second and Third Concessions in the said Township of East Whitby, said Concession Road being now known as Rossland Road; thence easterly along Rossland Road to Wilson Road; thence southerly along Wilson Road to the Base Line Road, now known as Bloor Street; thence continuing southerly along the unopened allowance for road between Township Lot 6 in the Broken Front Concession of the Township of East Whitby and Township Lot 7 in the said Broken Front Concession now in the City of Oshawa to Harbour Road; thence in an easterly direction along Harbour Road to a road between Lots 5 and 6 in the Broken Front Concession known as Lyman Road; thence along Lyman Road to its southerly extremity; thence from a point at the south-easterly extremity of Lyman Road on a course south forty-three degrees twenty minutes forty-five seconds east seven hundred and fourteen feet three and one-half inches more or less to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the allowance for road between the Township of East Whitby and the Township of Darlington, being the boundary between the Counties of Ontario and Durham; thence northerly along the said road marking the County line to a point opposite the line dividing the north and south halves of Lot 1 in the Second Concession of the said Township of East Whitby; thence westerly along the line dividing the north and south halves of Lots 1, 2, 3, 4 and 5 in the said Second Concession of the Township of East Whitby to the westerly limit of said Lot 5; thence northerly along the line dividing Lots 5 and 6 in the said Second Concession of the Township of East Whitby to the northerly limit of the said Second Concession; thence continuing across the Concession Road between the Second and Third Concessions of the Township of East Whitby and along the line dividing Lots 5 and 6 in the Third Concession of the said Township of East Whitby to a point one thousand six hundred and fifty feet north of the said Concession Road between the said Second and Third Concessions; thence westerly parallel with the said Concession Road to and across the road dividing Lots 6 and 7 in the Third Concession of the Township of East Whitby to the line dividing Lots 7 and 8 in the said Third Concession; thence northerly along the line dividing said Lots 7 and 8 in the Third Concession to and across the road dividing the Third and Fourth Concessions in the said Township of East Whitby and continuing along the line dividing Lots 7 and 8 in the Fourth Concession to a point midway between the south and north limits of the said Fourth Concession; thence westerly on a line parallel with the Concession Road dividing the Third and Fourth Concessions to the easterly limit of the Township of Whitby; thence southerly along the easterly limit of the Township of Whitby to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the place of beginning.

## SCHEDULE C

ARTICLES OF AGREEMENT made in duplicate this 26th day of December, 1950.

BETWEEN:

THE CORPORATION OF THE CITY OF OSHAWA, herein-  
after called the City,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF EAST WHITBY,  
hereinafter called the Township,

OF THE SECOND PART.

WHEREAS upon the application of the City and the Township the Ontario Municipal Board has by its Order dated the 9th day of November, 1950, directed the annexation to the City of a portion of the Township of East Whitby more particularly described in Schedule A to the said Order of the Board.

AND WHEREAS by Articles of Agreement made the 18th day of December, 1950, pursuant to the Order of the Board provision was made for all such adjustments of assets and liabilities as are properly the subject of adjustment in such cases and for certain other matters arising out of the Order of the Board.

AND WHEREAS by reason of certain representations made by certain residents of the annexed area consideration has been given by the parties hereto to the further matters hereinafter set out and it has been agreed as follows:

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree to and with each other as follows:

1. For the purposes of this agreement the term "annexed area" shall mean the lands covered by the Order of annexation of the Ontario Municipal Board hereinbefore referred to; "Board" shall mean the Ontario Municipal Board; "Order of the Board" shall mean the Order of annexation hereinbefore referred to dated the 9th day of November, 1950; "agricultural lands" shall mean parcels of land in the annexed area of not less than two acres in area and used solely for agricultural purposes. Such lands shall cease to be agricultural lands within the meaning of this agreement when they are no longer used solely for agricultural purposes.
2. This agreement shall be construed as supplementary to the agreement hereinbefore referred to of the 18th day of December, 1950.
3. No local improvements shall hereafter be instituted or undertaken by the City so as to impose local improvement charges or rates upon any agricultural lands except under the provisions of Section 8 of *The Local Improvement Act*, being R.S.O. 1937, Chapter 269, and amendments thereto, or any similar provisions which may hereafter be enacted by the Legislature of the Province of Ontario to amend or replace said Section 8. Nothing in this agreement shall be construed to impair the right of property owners to petition for local improvements under the provisions of *The Local Improvement Act*, but notwithstanding any such petition the Council of the City will proceed following such petition in accordance with the provisions of said Section 8 or such similar substituted provisions.
4. Notwithstanding the terms of said Section 8 of *The Local Improvement Act* or any amended or substituted terms that may hereafter be en-

acted by the Legislature of the Province of Ontario, all owners according to the last revised assessment roll of the City of agricultural lands affected by any proposed local improvement undertaking shall be entitled to be notified by registered post prepaid of the intention of the City to proceed with such local improvement undertaking and such notice may be in the form prescribed by said Section 8 of *The Local Improvement Act* or similar form and shall be mailed not later than the day of the first publication of the said notice of intention in accordance with the terms of said Section 8.

5. The City shall forthwith make and prosecute an application to the next session of the Legislature of the Province of Ontario for a Private Act to amend the provisions of the Statutes of Ontario, 12-13 George V, Chapter 122, so as to provide:

(a) That Section 8 of *The Local Improvement Act* or such similar terms as may hereafter be enacted in lieu thereof by the Legislature of the Province of Ontario shall apply to the construction of all watermains hereafter undertaken under the terms of the said Act to the same extent as if such construction were undertaken as a local improvement.

(b) That an appeal shall lie to the Court of Revision in the same manner as in the case of local improvements and the Court of Revision shall have jurisdiction *mutatis mutandis* similar to the jurisdiction conferred upon it relating to local improvement assessments by *The Local Improvement Act* and in addition jurisdiction to exempt from the special rates imposed under the terms of 12-13 George V, Chapter 122, for a period not exceeding three years any agricultural lands which in the opinion of the Court should not be called upon to bear any part of the cost of such watermains, and provided further that the Court shall have power to renew such exemptions from time to time for like or shorter periods upon the application of any interested owner.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested by the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

(Seal)

(Seal)

THE CORPORATION OF THE CITY  
OF OSHAWA:

MICHAEL STARR  
F. E. HARE

THE CORPORATION OF THE TOWN-  
SHIP OF EAST WHITBY:

WM. E. NOBLE  
D. F. WILSON

## SCHEDULE D

ARTICLES OF AGREEMENT made in duplicate this 18th day of December, 1950.

BETWEEN:

THE CORPORATION OF THE CITY OF OSHAWA, herein-  
after called the City,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE COUNTY OF ONTARIO,  
hereinafter called the County,

OF THE SECOND PART.

WHEREAS upon the application of the City and the Township of East Whitby the Ontario Municipal Board has by its Order dated the 9th day of November, 1950, directed the annexation to the City of that portion of the Township of East Whitby named in the said Order and hereinafter more particularly described in Schedule A to this agreement;

AND WHEREAS by the terms of the said Order it is provided that all such adjustments of assets and liabilities as are properly the subject of adjustment between the affected municipalities shall be made as such municipalities may agree among themselves, or in default of such agreement as the Board may order;

AND WHEREAS it has been agreed by and between the parties hereto as hereinafter set out;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree to and with each other as follows:

1. For the purposes of this agreement the term "annexed area" shall mean the lands covered by the Order of annexation of the Ontario Municipal Board hereinbefore referred to and more particularly described in Schedule A to this agreement; "Board" shall mean the Ontario Municipal Board; "Order of the Board" shall mean the Order of annexation hereinbefore referred to dated the 9th day of November, 1950; "Township" shall mean the Township of East Whitby.

2. Any surplus funds on hand with the County in any of the following accounts, namely: County Home Account, General Account, County Road Account and Suburban Road Account, as shown by the books of the County at December 31st, 1950, shall be paid by the County to the City in the same proportion as the 1950 equalized assessment of the annexed area bears to the 1950 equalized assessment of the County. Against such indebtedness of the County to the City shall be set and deducted any deficit in any of the foregoing accounts as shown by the books of the County at December 31st, 1950, and in the event of such deficit exceeding the surplus funds on hand in all of the said accounts then the City shall pay the amount of such deficit to the County in the same proportion as the 1950 equalized assessment of the annexed area bears to the 1950 equalized assessment of the County. For the purposes of this agreement the Suburban Road Account shall be deemed to be one-half of the total account in the hands of the County for suburban road purposes, the other half being in the amount supplied by the City in respect of its half interest in such suburban roads.

3. The debenture indebtedness, including principal and interest, of the County as outstanding and unpaid on December 31st, 1950 (excluding any debentures issued by the County during 1950), shall be borne and paid by the City in the same proportion as the 1950 equalized assessment of the annexed area bears to the 1950 equalized assessment of the County, and such payments shall be made by the City to the County from time to time as required to meet such debenture indebtedness as it falls due.

4. Notwithstanding the foregoing the City shall not be liable to bear any portion of any debenture debt of the County relating to debentures issued during the year 1950.

5. For the purpose of making the computations necessary by reason of this agreement and of the Order of the Board the County shall compute the amount of the equalized assessment of the County upon which County taxes were levied in the years 1926 to 1950 inclusive, both with and without the annexed area. For the purposes of this agreement, where the term "equalized assessment" is used with reference to any year or term of years it shall mean equalized assessments upon which County rates were levied during such year or term of years.

6. For the purposes of accounting between the City and the County the valuation of the lands and buildings of the Home for the Aged for the County of Ontario shall be \$51,708.96 less the amount of the selling price of any lands and buildings which shall have been sold before the 31st day of December, 1950.

7. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance of wards of any Children's Aid Society the charges for whose maintenance are payable by the County and which charges were imposed upon the County by reason of residence in the annexed area or by reason of the ward having been taken into custody in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such wards admitted on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

8. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance of indigent patients in any public hospital covering hospital treatment from and after the first day of January, 1951, the charges for whose maintenance are payable by the County and which charges were imposed on the County by reason of residence in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such indigent patients admitted on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

9. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance of residents of the Home for the Aged for the County of Ontario from and after the first day of January, 1951, the charges for whose maintenance are payable by the County and which charges were imposed on the County by reason of residence in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such residents of the Home for the Aged for the County of Ontario admitted on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

10. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance or other proper charges under *The Training Schools Act, 1939*, for any boy or girl committed to a Training School within the meaning of the said Act, from and after the first day of January, 1951, the charges

for whose maintenance are payable by the County and which charges were imposed on the County by reason of residence in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such boy or girl committed to a Training School within the meaning of the said Act on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

11. Any valuations necessary for the purposes of this agreement and in order to compute the balances payable under the terms of paragraphs 12, 13, 14 and 15 hereof shall be as may be agreed upon by the representatives chosen for the purpose by the City and the County and in default of any such agreement shall be fixed by the Board.

12. The County shall pay to the City a sum of money representing the proportionate interest of the annexed area in the following property of the County, namely:

- (a) Road machinery and equipment;
- (b) Gravel pits;
- (c) County garage and warehouses;
- (d) Furnishings of the Home for the Aged for the County of Ontario;
- (e) Farm machinery and equipment of the Home for the Aged for the County of Ontario.

The proportionate interest shall be computed as being that portion of the value of the said assets that bears the same relation to their total value as the average equalized assessment of the annexed area for the period of ten years last preceding the 31st day of December, 1950, bears to the average equalized assessment of the County for the same period.

13. The County shall pay to the City a sum of money representing the proportionate interest of the annexed area in the livestock and feeds on hand at the 31st day of December, 1950, at the farm of the Home for the Aged for the County of Ontario, such proportionate interest to be computed as being that portion of the value of the said assets that bears the same relation to their total value as the average equalized assessment of the annexed area for the year 1950 bears to the average equalized assessment of the County for the same period.

14. The County shall pay to the City a sum of money representing the proportionate interest of the annexed area in the furnishings of the offices of the Assessor, the Clerk-Treasurer and the County Engineer and in the furnishings of the Council Chambers of the County Buildings and in the lands and in the buildings of the Home for the Aged for the County, such proportionate interest to be computed as being that portion of the value of the said assets that bears the same relation to their total value as the average equalized assessment of the annexed area for the period of twenty-five years last preceding the 31st day of December, 1950, bears to the average equalized assessment of the County for the same period.

15. The valuation for the purposes of this agreement of land, buildings, machinery and equipment pertaining to the Road Department of the County shall be taken to be fifty per cent of the actual value as determined by the representatives of both municipalities or otherwise under the terms of this agreement, the other fifty per cent being represented by the sums invested in such property and equipment provided in the form of subsidies of the Department of Highways of the Province of Ontario.

16. The interest of the City in common with the County in the County Buildings, including the County Jail, County Registry Office, Court House and County Offices and the sites thereof, shall be increased

by a proportion or share computed as being that portion of the value of the said assets that bears the same relation to 87½% of their total value as the average equalized assessment of the annexed area for the period of twenty-five years last preceding the 31st day of December, 1950, bears to the average equalized assessment of the County for the same period. Such additional proportion or value shall be calculated upon 87½% of the total value of the said lands and buildings immediately prior to the Order of the Board. This paragraph shall not be construed as an admission of any property interest of the City in the said lands and buildings.

17. For the purposes of this agreement the valuation of the lands and buildings of the Children's Shelter of the County of Ontario and the City of Oshawa is fixed at the sum of \$34,450.00, the said lands and buildings having been the property in equal shares of the City and the County. It is, therefore, agreed that the interest of the annexed area in the said Children's Shelter is represented by the sum of \$1,348.20, which is computed as the same proportion of the value of one-half of the said lands and buildings as the average equalized assessment of the annexed area for the last thirteen years bears to the average equalized assessment of the County for last thirteen years. The County, therefore, agrees to pay to the City the said sum of \$1,348.20 in full satisfaction of the interest of the annexed area in the said lands and buildings so that the ownership of the said lands and buildings shall remain vested in equal shares in the City and the County.

18. Any payments to be made to the City by the County under the provisions of paragraphs 2, 12, 13, 14 and 17 shall be paid not later than the 31st day of December, 1951.

19. It is further declared and agreed by and between the parties hereto that the Order of the Board together with this agreement is intended to constitute the basis of settlement of all matters relating to annexation as defined by the Order of the Board, but that any matter properly the subject of adjustment between or among the said parties and not covered by the terms of the Order of the Board and of this agreement shall not by reason of such omission be deemed to have been waived by any of the municipalities or other parties affected but shall be the subject from time to time of further negotiation and adjustment on a fair and equitable basis between the said affected parties and failing agreement accordingly shall be determined by Order of the Board upon the application of any interested municipality or other party, and it is agreed that notwithstanding any Statutory provision to the contrary lapse of time shall not be a bar to any such negotiation and adjustment or application to the Board.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested by the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

(Seal)

THE CORPORATION OF THE CITY  
OF OSHAWA:

MICHAEL STARR  
F. E. HARE

THE CORPORATION OF THE COUNTY  
OF ONTARIO:

RAE M. FERGUSON  
WM. S. MANNING

(Seal)

*Schedule A*

To agreement dated the 18th day of December, 1950,  
between the Corporation of the City of Oshawa and the  
Corporation of the County of Ontario.

ALL AND SINGULAR those certain parcels or tracts of lands and  
premises, situate, lying and being in the Township of East Whitby, in

the County of Ontario, and being composed of parts of the Broken Front, First, Second, Third and Fourth Concessions in the said Township of East Whitby, and being more particularly described as follows: Commencing at a point where the easterly limit of Lot 10 in the Broken Front Concession of the Township of East Whitby meets the water's edge of Lake Ontario; thence northerly along the easterly limit of said Lot 10 in the Broken Front Concession two thousand nine hundred and eighty-four feet four inches to a point; thence south seventy-six degrees fifty-three minutes thirty seconds west ninety-seven feet seven inches to a point; thence north forty-two degrees thirty-six minutes thirty seconds west one hundred and seventy-seven feet eleven inches to a point; thence north eighty-seven degrees thirty-two minutes west one hundred and ten feet four inches to a point; thence north twenty-five degrees three minutes west two hundred and forty-seven feet five inches to a point; thence north six degrees eleven minutes west one hundred and eleven feet two inches to a point; thence north fifty-five degrees fifty-three minutes, thirty seconds west seventy-five feet two inches to a point; thence north thirty-four degrees thirty-five minutes thirty seconds west one hundred and eighty-eight feet nine inches to a point; thence north forty degrees seven minutes west one hundred and twenty-seven feet to a point in the southerly limit of Thomas Street; thence into and along Thomas Street in a westerly direction to its intersection with Cedar Street; thence northerly along Cedar Street to a point opposite the northerly limit of Lot 3 as marked on Registered Plan 180; thence westerly along the said northerly limit of said Lot 3 and its production westerly to the westerly limit of Reserve Block A on said Registered Plan; thence northerly along said westerly limit of said Reserve Block A on said plan to Glen Street; thence northerly along Glen Street to the northerly limit thereof; thence northerly along the westerly limit of Lot C-30 according to Sheet 31 of the Municipal Plan of the City of Oshawa to the lands of the Canadian National Railway Company; thence westerly along the southerly limit of the Canadian National Railway Company's lands to Park Road; thence northerly along Park Road to the northerly extremity thereof at Gibbs Avenue; thence continuing northerly along the westerly limit of Lot C-2 according to Sheet 11 of the Municipal Plan of the City of Oshawa to the Concession Road between the Second and Third Concessions in the said Township of East Whitby, said Concession Road being now known as Rossland Road; thence easterly along Rossland Road to Wilson Road; thence southerly along Wilson Road to the Base Line Road, now known as Bloor Street; thence continuing southerly along the unopened allowance for road between Township Lot 6 in the Broken Front Concession of the Township of East Whitby and Township Lot 7 in the said Broken Front Concession now in the City of Oshawa to Harbour Road; thence in an easterly direction along Harbour Road to a road between Lots 5 and 6 in the Broken Front Concession known as Lyman Road; thence along Lyman Road to its southerly extremity; thence from a point at the south-easterly extremity of Lyman Road on a course south forty-three degrees twenty minutes forty-five seconds east seven hundred and fourteen feet three and one-half inches more or less to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the allowance for road between the Township of East Whitby and the Township of Darlington, being the boundary between the Counties of Ontario and Durham; thence northerly along the said road marking the County line to a point opposite the line dividing the north and south halves of Lot 1 in the Second Concession of the said Township of East Whitby; thence westerly along the line dividing the north and south halves of Lots 1, 2, 3, 4 and 5 in the said Second Concession of the Township of East Whitby to the westerly limit of said Lot 5; thence northerly along the line dividing Lots 5 and 6 in the said Second Concession of the Township of East Whitby to the northerly limit of the said Second Concession; thence continuing across the Concession Road between the Second and Third Concessions of the Township of East Whitby and along the line dividing Lots 5 and 6 in the Third Concession of the said Township of East Whitby to a point one thousand six hundred and fifty feet north of the said Concession Road between the said Second and Third Concessions; thence westerly parallel with the said Concession Road to and across the road dividing Lots 6 and 7 in the Third Concession of the Township of East Whitby to the line dividing Lots 7 and 8 in the said Third Concession; thence northerly along the line dividing said Lots 7 and 8 in the Third Concession to and across the road



dividing the Third and Fourth Concessions in the said Township of East Whitby and continuing along the line dividing Lots 7 and 8 in the Fourth Concession to a point midway between the south and north limits of the said Fourth Concession; thence westerly on a line parallel with the Concession Road dividing the Third and Fourth Concessions to the easterly limit of the Township of Whitby; thence southerly along the easterly limit of the Township of Whitby to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the place of beginning.

BILL

An Act respecting the City of Oshawa

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. THOMAS (Ontario)

*(Private Bill)*

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Oshawa

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MR. THOMAS (Ontario)

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*(Reprinted as amended by the Committee on Private Bills)*



# BILL

## An Act respecting the City of Oshawa

**W**HEREAS the Corporation of the City of Oshawa by <sup>Preamble.</sup> its petition has prayed for special legislation in respect of the several matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Order P.F. C-2042 of the Ontario Municipal Board <sup>Annexation</sup> dated the 9th day of November, 1950, set forth as Schedule A <sup>order</sup> hereto, is hereby confirmed. <sup>confirmed.</sup>

2. The said Order shall be deemed to have had effect on <sup>Effective</sup> and after the 1st day of January, 1951. <sup>date.</sup>

3. The agreement between the Corporation of the City of <sup>Agreement</sup> Oshawa and the Corporation of the Township of East Whitby <sup>validated.</sup> dated the 18th day of December, 1950, set forth as Schedule B hereto, is ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

4. The supplementary agreement between the Corporation <sup>Idem</sup> of the City of Oshawa and the Corporation of the Township of East Whitby dated the 26th day of December, 1950, set forth as Schedule C hereto, is ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

5. The agreement between the Corporation of the City of <sup>Idem</sup> Oshawa and the Corporation of the County of Ontario dated the 18th day of December, 1950, set forth as Schedule D hereto, is ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties

are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

1922, c. 122,  
amended.

**6.** *An Act respecting the Town of Oshawa*, being chapter 122 of the Statutes of Ontario, 1922, is amended by adding thereto the following sections:

Application  
of Rev. Stat.,  
c. 215. to  
watermains.

5a. Notwithstanding anything contained herein, where it is intended to proceed under this Act to undertake the construction of watermains, section 8 of *The Local Improvement Act* shall apply *mutatis mutandis* to the proceedings under this Act, and no such construction of watermains shall be undertaken except in accordance with the said section of *The Local Improvement Act*.

Appeals,  
jurisdiction  
of court  
of revision.

5b. In every such case an appeal shall lie at the instance of an owner affected by any such by-law in the same manner as in the case of local improvements and the court of revision shall have jurisdiction *mutatis mutandis* similar to the jurisdiction conferred upon it relating to local improvement assessments by *The Local Improvement Act* and in addition jurisdiction to exempt from the special rates imposed under the terms of this Act for a period not exceeding three years any agricultural lands which in the opinion of the court should not be called upon to bear any part of the cost of such watermains, and provided further that the court shall have power to renew such exemptions from time to time for like or shorter periods upon the application of any interested owner.

Commence-  
ment.

**7.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**8.** This Act may be cited as *The City of Oshawa Act, 1951*.

## SCHEDULE A

P.F. C-2042

Thursday, the ninth day of November, A.D. 1950

## BEFORE:

W. J. MOORE, O.L.S.,  
Vice-Chairman,

—and—

C. D. WIGHT, B.Sc., O.L.S.,  
Member.

IN THE MATTER OF "The Municipal Act" (R.S.O. 1937, Chapter 266) and amending Acts, and

IN THE MATTER OF the application of the Corporation of the City of Oshawa and the Corporation of the Township of East Whitby for annexation to the City of Oshawa of certain lands in the Township of East Whitby.

UPON THE JOINT APPLICATION of the Corporation of the City of Oshawa and the Corporation of the Township of East Whitby coming on for hearing before this Board in the Council Chamber at the City Hall in the City of Oshawa on the 27th day of June, 1950, and in the presence of Counsel for the City of Oshawa, Counsel for the Corporation of the County of Ontario, Counsel for certain interested property owners and a number of members of Council and officers of the City of Oshawa, the County of Ontario, and the Township of East Whitby, and a number of property owners and residents of the said municipalities who appeared in person;

AND UPON reading By-law No. 2754 of the City of Oshawa and By-law No. 1437 of the Township of East Whitby, authorizing an application for annexation of part of the Township of East Whitby to the City of Oshawa;

AND UPON certified copies of such by-laws being duly filed with the Board;

AND UPON hearing what was alleged by Counsel aforesaid and by a number of the said members of Council and other officers and other interested persons;

AND UPON being satisfied that public notice of the hearing had been given as directed by the Board;

I. THE BOARD ORDERS under and in pursuance of Section 23 of *The Municipal Act* and amendments thereto that that part of the Township of East Whitby described in Schedule A to this Order (hereinafter referred to as "the annexed area") be and the same is hereby annexed to the City of Oshawa.

## II. THE BOARD FURTHER ORDERS AS FOLLOWS:

1. Subject to the provisions of sub-section 14 of Section 23 of *The Municipal Act* and amendments thereto this Order shall come into effect on the first day of January, A.D. 1951.

2. The taxes, assessments, rents, water, school and other rates, including business taxes, in respect of the annexed area to be levied by the City of Oshawa (hereinafter referred to as "the City") in respect of the annexed area shall from and after January 1, A.D. 1951, be the same and be payable at the same time and in the same manner as taxes, assessments, rents, water, school and other rates, including business taxes, levied and raised from time to time on property within the City (other than the annexed area) and the owners and occupants thereof.

3. The Township of East Whitby (hereinafter referred to as "the Township") shall assess the annexed area and persons occupying lands in the annexed area for business purposes for taxation for the year 1951

at the same time and in the same manner as other assessments are made within the boundaries of the Township for taxes payable for the year 1951, and that portion of the Assessment Roll of the Township relating to the annexed area for taxation for the year 1951 shall be delivered to the City and shall be incorporated by the City in the City's Assessment Roll for taxation for the year 1951 and shall be used and employed for such taxation purposes in the same manner and to the same extent as though such assessment had been prepared and completed by the Assessor of the City and the said annexed area had been within the limits of the City at the time of such assessment. Such assessments shall nevertheless be subject to appeal to the Court of Revision of the Township and to such further appeal in accordance with the provisions of *The Assessment Act* and amending statutes to the same extent as though this Order had not been made.

4. The whole rateable property within the annexed area according to the said assessment shall be subject to levy by the City for taxes for the year 1951 in the same manner and to the same extent as other lands in the City.

5. The Township shall at all reasonable times allow the City, its servants and agents, access to the Assessment Rolls of the Township insofar as they relate to the annexed area, and to all local improvement by-laws and local improvement assessment rolls relating thereto, and also to all plans, surveys and maps relating to the annexed area.

6. (a) All taxes, including business taxes, imposed by the Township on or with respect to the annexed area up to December 31st, 1950, and due and unpaid at the first day of January, A.D. 1951 shall belong to the City.

(b) The Township shall prepare and furnish to the City a special Collectors Roll showing all arrears of taxes including business taxes or special rates assessed against or with respect to the annexed area to December 31st, A.D. 1950, and remaining unpaid and the name of the persons liable for payment of the same. The City shall have the right to collect and shall collect such arrears of taxes, including business taxes, in the same manner and with all the rights and powers, including the right to sell lands for arrears of taxes, provided by *The Assessment Act* or any other Act as fully and effectually as though the said taxes had been levied by the City.

7. The present assessments of all lands within the annexed area having an area of not less than two acres or more than eight acres and used solely for agricultural purposes are to continue for a period of five years from January 1st, A.D. 1951, unless within that period the lands are sub-divided, in which case this fixation of assessment shall terminate. The present assessments of all lands within the annexed area having an area of more than eight acres and used solely for agricultural purposes shall continue for a period of ten years from January 1st, A.D. 1951, unless the same are sub-divided within that period, in which case this fixation of assessment shall terminate. This paragraph shall not apply to alterations, additions, improvements and new structures which shall be assessed in accordance with the provisions of *The Assessment Act*.

8. The election to be held in the year 1950 by the Township for the Council of the Township for 1951 and all proceedings in connection therewith shall be held as if the annexed area did not form part of the Township.

9. The Township shall in 1950 prepare a special Voters' List under *The Voters' Lists Act* in respect of the annexed area, and the City may use such list for the purpose of the election of the Council, the Board of Education and the Public Utilities Commission of the City for the year 1951 in the same manner and to the same extent as if the said list had been prepared as part of the Voters' List of the City for the year 1950 and as if the annexed area were part of the City at the time of the preparation of the said list and at the time of the said election. The persons shown on the said special Voters' List to be entitled to vote at municipal elections and the persons shown thereon to be entitled to be candidates at such elections shall respectively be entitled, if otherwise qualified by law, to



vote and to be candidates at the election of the Council, the Board of Education and the Public Utilities Commission of the City for the year 1951.

10. Subject to any by-law hereafter enacted by the Council of the City the annexed area shall be deemed to be an additional ward of the City to be known as Ward Number 6, and the Council of the Corporation of the City shall accordingly be enlarged by two additional Aldermen, and all necessary by-laws shall be deemed to have been passed and enacted and all other necessary acts and things done to enable the City to conduct an election for the year 1951 for a Council to include twelve Aldermen to be elected by a general vote in the same manner as if the City had heretofore included the annexed area and had been divided into six wards.

11. The Councils of the City and the Township respectively may pass by-laws re-arranging and re-numbering the Polling Sub-divisions of the respective municipalities in accordance with the altered boundaries as determined by this Order in the same manner and having the same force and validity as though the annexed area were part of the City and not part of the Township.

12. All matters relating to assessment of the annexed area and the preparation of the Assessment Roll for the taxation year 1951 according to Paragraph 3 of this Order, and all matters relating to municipal elections in the Township and in the City and the preparation of Voters Lists and the conduct of elections in both municipalities, and in particular the provisions of Paragraphs 8, 9, 10 and 11 of this Order, shall be valid and binding notwithstanding the date at which this Order becomes effective and for such purposes this Order shall be deemed to have been in full force and effect prior to the time when such proceedings were had and taken.

13. All right, title and interest of the Township and of the County of Ontario in the highways and streets in the annexed area, together with any and all right, title and interest in any public improvements made by or at the expense of the Township or County of Ontario therein, and in any franchises or agreements heretofore given and made, insofar only as they affect the operations of the said highways and streets in the annexed area, shall vest in the City as and from the first day of January, 1951.

14. From and after the effective date of this Order the jurisdiction of the Public Utilities Commission of the City of Oshawa in the supply of water and electric power shall extend to the annexed area as fully as it existed within the boundaries of the City before this Order was made, and all residents within the annexed area shall be entitled to receive water and electric services insofar as such services are available for the same charges and upon the same terms as other residents of the City.

15. The Township will continue to provide the ordinary municipal services to the annexed area until the effective date of this Order.

16. All debenture debt of the Township outstanding at the effective date of this Order relating to local improvements made in the annexed area shall be assumed and paid by the City. Where such local improvement indebtedness relates to the installation of watermains such indebtedness shall be assumed and paid by the City without imposing and collecting further local improvement rates or assessment. In all other cases the City shall be entitled to recover all local improvement rates and assessments owing from and after the effective date of this Order to the same extent as if the improvement had been made and all necessary by-laws passed by the City and to the same extent as the Township would have been entitled to recover the same if this Order had not been made.

17. Any payments commuted and paid in advance by property owners with respect to local improvement charges for watermains will be repaid to them or their successors in title to the extent that such payments are in excess of the annual assessment to the effective date of this Order.

18. A sum of money amounting to \$15,186.11 in the hands of the Treasurer of the Township, representing reserve of unapplied prepayments

on local improvement charges for watermain, shall be paid over to the Public Utilities Commission of the City of Oshawa and applied by the Commission to the refund of any such commuted payments and to the reduction of the indebtedness on watermain debenture charges.

19. Any local improvements in progress for which at the effective date of this Order debentures have not been issued will be assumed by the City and the City will repay to the Township any funds paid out on account of such improvements and the City will assume any outstanding loans with relation to such expenditures and will complete any such work remaining unfinished. Any unexpended proceeds of debenture issues will be paid by the Township to the City.

20. Upon the effective date of this Order the school sites and buildings, together with contents thereof and other assets the property of the Public School Boards of Union School Sections Number 4 and 5 in the Townships of Whitby and East Whitby shall become the property of the Board of Education for the City of Oshawa and shall be conveyed upon request by the Trustees of the said Union School Sections accordingly. Pupils resident in those parts of the said Union School Sections now in the Township of Whitby, up to a maximum of fifty pupils in all, may continue to attend the said schools upon payment of an amount per pupil not exceeding two-thirds of the maximum fees which the Board of Education for the City of Oshawa would be entitled to charge for pupils attending its public schools from other points outside the City, and this provision shall remain operative with respect to each of the said Union School Sections respectively so long as the school appertaining to such Section continues to be operated by the said Board of Education.

21. Upon the said Board of Education ceasing to operate either of the said schools as a public school then the School so discontinued shall be and become the property of that part of the Union School Section concerned lying within the Township of Whitby and title to the lands and buildings and contents shall be transferred accordingly for the nominal consideration of \$1.00 to the Township of Whitby or to any Board entitled to represent the portion of such Union School Section in the Township of Whitby.

22. Upon either of such school properties being no longer operated as public schools and upon conveyance thereof as aforesaid to the Township of Whitby or the appropriate school board then the rights of pupils resident in the portion of such Union School Section within the Township of Whitby to attend Oshawa schools at preferred rates shall cease.

23. Upon the effective date of this Order the school site and buildings together with all contents thereof and other property and assets of the Public School Board of Union School Section Number 6 for the Townships of East Whitby and Darlington shall become the property of the Board of Education for the City of Oshawa and shall be conveyed upon request by the Trustees of the said Union School Section accordingly.

24. The City shall pay to the Township of Darlington the sum of \$1,964.09, being the amount of principal and interest paid by the said Township upon the debenture debt relating to the said Union School Section Number 6 and will assume and discharge all future payments both for principal and interest upon the said debenture debt.

25. No pupils from the Township of Darlington shall after the effective date of this Order be entitled to attend the said school except as non-resident pupils upon the usual terms.

26. All such adjustments of assets and liabilities as between the municipalities, including the County of Ontario affected by this Order shall be made between such municipalities as they may agree among themselves and in the event of the said interested municipalities not being able to agree upon such adjustments then any of the said municipalities may apply to this Board to determine the matter by further Order. The rights and claims of all parties affected by this Order under the provisions of *The Public Schools Act*, including School Sections and Union School Sections located in whole or in part in the annexed area, shall be adjusted

and settled by agreement between the Board of Education for the City of Oshawa and the other parties thereby affected including the Trustees of the said School Sections, and in default of such an adjustment being agreed upon then the provisions of Section 38 of *The Public Schools Act* shall apply except as provided by paragraphs 20 to 25 inclusive of this Order.

27. Any matter properly the subject of adjustment between or among parties affected by this Order and not covered by the terms of this Order shall not by reason of such omission be deemed to have been waived by any of the municipalities or other parties affected but shall be adjusted from time to time on a fair and equitable basis by and between the said affected parties and failing agreement accordingly shall be determined by Order of this Board upon the application of any such interested municipality or other party.

(Sgd.) W. J. MOORE,  
*Vice-Chairman.*

(Seal)

#### *Schedule A*

ALL AND SINGULAR those certain parcels or tracts of lands and premises, situate, lying and being in the Township of East Whitby, in the County of Ontario, and being composed of parts of the Broken Front, First, Second, Third and Fourth Concessions in the said Township of East Whitby, and being more particularly described as follows: Commencing at a point where the easterly limit of Lot 10 in the Broken Front Concession of the Township of East Whitby meets the water's edge of Lake Ontario; thence northerly along the easterly limit of said Lot 10 in the Broken Front Concession two thousand nine hundred and eighty-four feet four inches to a point; thence south seventy-six degrees fifty-three minutes thirty seconds west ninety-seven feet seven inches to a point; thence north forty-two degrees thirty-six minutes thirty seconds west one hundred and seventy-seven feet eleven inches to a point; thence north eighty-seven degrees thirty-two minutes west one hundred and ten feet four inches to a point; thence north twenty-five degrees three minutes west two hundred and forty-seven feet five inches to a point; thence north six degrees eleven minutes west one hundred and eleven feet two inches to a point; thence north fifty-five degrees fifty-three minutes, thirty seconds west seventy-five feet two inches to a point; thence north thirty-four degrees thirty-five minutes thirty seconds west one hundred and eighty-eight feet nine inches to a point; thence north forty degrees seven minutes west one hundred and twenty-seven feet to a point in the southerly limit of Thomas Street; thence into and along Thomas Street in a westerly direction to its intersection with Cedar Street; thence northerly along Cedar Street to a point opposite the northerly limit of Lot 3 as marked on Registered Plan 180; thence westerly along the said northerly limit of said Lot 3 and its production westerly to the westerly limit of Reserve Block A on said Registered Plan; thence northerly along said westerly limit of said Reserve Block A on said plan to Glen Street; thence northerly along Glen Street to the northerly limit thereof; thence northerly along the westerly limit of Lot C-30 according to Sheet 31 of the Municipal Plan of the City of Oshawa to the lands of the Canadian National Railway Company; thence westerly along the southerly limit of the Canadian National Railway Company's lands to Park Road; thence northerly along Park Road to the northerly extremity thereof at Gibbs Avenue; thence continuing northerly along the westerly limit of Lot C-2 according to Sheet 11 of the Municipal Plan of the City of Oshawa to the Concession Road between the Second and Third Concessions in the said Township of East Whitby, said Concession Road being now known as Rossland Road; thence easterly along Rossland Road to Wilson Road; thence southerly along Wilson Road to the Base Line Road, now known as Bloor Street; thence continuing southerly along the unopened allowance for road between Township Lot 6 in the Broken Front Concession of the Township of East Whitby and Township Lot 7 in the said Broken Front Concession now in the City of Oshawa to Harbour Road; thence in an easterly direction along Harbour Road to a road between Lots 5 and 6 in the Broken Front Concession known as Lyman Road; thence along Lyman Road to its southerly ex-

tremity; thence from a point at the south-easterly extremity of Lyman Road on a course south forty-three degrees twenty minutes forty-five seconds east seven hundred and fourteen feet three and one-half inches more or less to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the allowance for road between the Township of East Whitby and the Township of Darlington, being the boundary between the Counties of Ontario and Durham; thence northerly along the said road marking the County line to a point opposite the line dividing the north and south halves of Lot 1 in the Second Concession of the said Township of East Whitby; thence westerly along the line dividing the north and south halves of Lots 1, 2, 3, 4 and 5 in the said Second Concession of the Township of East Whitby to the westerly limit of said Lot 5; thence northerly along the line dividing Lots 5 and 6 in the said Second Concession of the Township of East Whitby to the northerly limit of the said Second Concession; thence continuing across the Concession Road between the Second and Third Concessions of the Township of East Whitby and along the line dividing Lots 5 and 6 in the Third Concession of the said Township of East Whitby to a point one thousand six hundred and fifty feet north of the said Concession Road between the said Second and Third Concessions; thence westerly parallel with the said Concession Road to and across the road dividing Lots 6 and 7 in the Third Concession of the Township of East Whitby to the line dividing Lots 7 and 8 in the said Third Concession; thence northerly along the line dividing said Lots 7 and 8 in the Third Concession to and across the road dividing the Third and Fourth Concessions in the said Township of East Whitby and continuing along the line dividing Lots 7 and 8 in the Fourth Concession to a point midway between the south and north limits of the said Fourth Concession; thence westerly on a line parallel with the Concession Road dividing the Third and Fourth Concessions to the easterly limit of the Township of Whitby; thence southerly along the easterly limit of the Township of Whitby to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the place of beginning.

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## SCHEDULE B

ARTICLES OF AGREEMENT made in duplicate this 18th day of December, 1950.

BETWEEN:

THE CORPORATION OF THE CITY OF OSHAWA, herein-  
after called the City,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF EAST WHITBY,  
hereinafter called the Township,

OF THE SECOND PART.

WHEREAS upon the application of the City and the Township the Ontario Municipal Board has by its Order dated the 9th day of November, 1950, directed the annexation to the City of that portion of the Township of East Whitby named in the said Order and hereinafter more particularly described in Schedule A to this agreement;

AND WHEREAS by the terms of the said Order it is provided that all such adjustments of assets and liabilities as are properly the subject of adjustment between such municipalities shall be made as such municipalities may agree among themselves, or in default of such agreement as the Board may order;

AND WHEREAS it has been agreed by and between the parties hereto as hereinafter set out;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree to and with each other as follows:

1. For the purposes of this agreement the term "annexed area" shall mean the lands covered by the Order of annexation of the Ontario Municipal Board hereinbefore referred to and more particularly described in Schedule A to this agreement; "Board" shall mean the Ontario Municipal Board; "Order of the Board" shall mean the Order of annexation hereinbefore referred to dated the 9th day of November, 1950.

2. All lands within the annexed area belonging to the Township (other than highways and streets, title to which is provided for in paragraph 13 of the Order of the Board), subject nevertheless to the provisions hereinafter set out with respect to schools and school sites, shall belong to the City and shall be conveyed to the City by the Township upon request. For greater certainty the said lands so to be conveyed shall be deemed to include lands belonging to the Township and being used at the date of the Order of the Board as parks or recreation areas. The City shall be required to compensate the Township for such real property, other than parks and recreation areas, at a valuation to be agreed upon by the Assessors of the City and the Township, or in default of such agreement to be fixed by the Board.

3. All other fixed assets and equipment of the Township, including real property (except the Township Hall and its site at the Village of Columbus, school properties and tax sale lands outside the annexed area), office equipment, road machinery and motor vehicles, gravel pit, tile plant, Medical Officer's supplies and equipment and other assets of a like nature, shall be retained by the Township or sold by the Township if it so elects within six months after the effective date of the Order of the Board. Insofar as the Township elects to retain such property, a valuation shall be placed upon the same by agreement between the two municipalities, or failing such agreement shall be fixed by the Board. In any event the

Township shall be liable to compensate the City on the basis of the valuation or sale price as the case may be. The valuation of road machinery and equipment and the Township garage shall for the purposes of this agreement be reduced by 50 per cent by reason of the subsidies paid by the Province of Ontario to the Township and invested in the purchase thereof. The Township Hall and site at the Village of Columbus, the school properties and tax sale lands outside the annexed area shall not be the subject of compensation and shall remain the property of the Township and the School Sections interested.

4. In all accounting between the Township and the City with relation to fixed assets, being the assets covered by paragraphs 2 and 3 of this agreement, the City's share of such assets for the purposes of this agreement shall be 71.876% and the Township's share 28.124%.

5. For the purposes of this agreement current assets shall be construed to mean cash on hand and on deposit in bank accounts (saving always as herein otherwise provided), current supplies on hand, subsidies receivable, accounts receivable, prepaid expenses and taxes receivable including arrears of taxes. The Township shall be liable to account to the City for the value of all current assets and the City's share of such accounting shall be 76.821% and the Township's share 23.179%.

6. Taxes receivable including arrears of taxes as referred to in paragraph 5 shall mean and include all taxes owing upon lands within the annexed area at December 31st, 1950, including penalties accrued to that date, and on and after January 1st, 1951, all such taxes including penalties shall belong to and be payable to the City, and in the accounting between the City and the Township shall be charged to the City at their full face value as current assets transferred to the City's account.

7. Notwithstanding anything herein contained to the contrary the Township lands within the annexed area which have come into the possession of the Township by reason of tax sales heretofore conducted shall be transferred and conveyed to the City at a valuation of \$6,725.00, providing however that in the event of the sale of any such lands before the effective date of the Order of the Board the portion of such valuation relating to such lands so sold shall be deducted from the total valuation for the purposes of accounting between the City and the Township and the funds received from such sale shall be divided in the same manner as current assets.

8. The City in the adjustment of accounts shall pay to the Township one-half the cost of the assessment of the Township for the year 1950, but such payment shall be computed as part of the cash on hand for the purposes of adjustment of assets.

9. Accounts payable by the Township as owing and unpaid at December 31st, 1950, shall be paid by the Township and an amount representing 76.821% thereof shall be charged to the City in the accounting between the City and the Township.

10. Upon the taking of accounts as hereinbefore provided between the City and the Township, the one party shall be liable to compensate the other in cash to balance the said accounts. The effective date with respect to which all such accounting shall be computed shall be the effective date of annexation, the first day of January, 1951. Any balance payable by either party to the other shall be settled and paid on or before the 31st day of December, 1951.

11. The City shall assume and pay from and after the first day of January, 1951, charges and expenses for what is known as aftercare of tubercular patients discharged from sanatoria being charged and imposed in accordance with *The Sanatoria for Consumptives Act* and any other charges under the said Act for which the Township would otherwise be liable but for the Order of the Board with respect to persons whose residence is traceable to the annexed area.

The City shall also assume and pay from and after the first day of January, 1951, the costs of unemployment relief under the provisions of

*The Unemployment Relief Act* relating to persons whose residence is defined in the said Act and the regulations made thereunder as traceable to the annexed area.

12. All school sites and buildings including those portions of Union School Sections with their sites and buildings lying within the annexed area shall from and after the first day of January, 1951, be deemed to be a part of the City of Oshawa for school purposes and shall belong to and be administered by the Board of Education for the City of Oshawa. For greater certainty the School Sections hereby affected are the following, namely: School Sections No. 1, 10 and 11 of the Township of East Whitby, and Union School Sections No. 4 and 5 of the Townships of East Whitby and Whitby and Union School Section No. 6 of the Townships of East Whitby and Darlington. With respect to the said Union School Sections the terms of the Order of the Board shall apply as they affect the disposition of the said respective school sites and property. In all the said School Sections including the said Union School Sections, the school site and property shall be transferred and conveyed to the Board of Education for the City of Oshawa upon request by the Trustees for the time being in office in the respective sections.

13. The City shall assume and discharge the outstanding debenture debt owing with respect to all of the said School Sections, being the following, namely:

Union School Section No. 6—By-law 973, 1925, 30 years,  $5\frac{1}{2}\%$ , originally \$8,500.00, at the end of 1950—\$2,497.47.

Union School Section No. 6—By-law 1373, 1948, 5 years,  $2\frac{1}{2}\%$ , \$3,000.00, at the end of 1950—\$1,840.00.

School Section No. 1—By-law 957, 1924, 30 years, 5%, \$40,000.00, at the end of 1950—\$9,226.77.

School Section No. 10—By-law 972, 1925, 30 years,  $5\frac{1}{2}\%$ , \$50,000.00, at the end of 1950—\$14,690.93.

School Section No. 10—By-law 1021, 1928, 30 years,  $5\frac{1}{2}\%$ , \$36,000.00, at the end of 1950—\$15,690.69.

School Section No. 11—By-law 1022, 1928, 30 years,  $5\frac{1}{2}\%$ , \$34,000.00, at the end of 1950—\$14,818.97.

School Section No. 11—By-law 1400, 1948, 20 years,  $3\frac{1}{2}\%$ , \$87,000.00, at the end of 1950—\$81,000.00.

14. School rates collected by the Township during 1950 and earlier shall be paid as far as they are due to local School Sections before the end of 1950. Any balances on hand and unpaid at the first day of January, 1951, to any School Board in the annexed area shall be paid over to the Board of Education for the City of Oshawa. Local School Boards in the annexed area shall cease to exist on the first day of January, 1951, and all surpluses, if any, in the hands of such Boards shall belong to the Board of Education for the City of Oshawa and shall be paid over to that Board. All debts and liabilities of such Boards remaining unpaid at the first day of January, 1951, shall be the obligations of the Board of Education for the City of Oshawa. All contracts of employment with employees of Local School Boards shall be assumed by the Board of Education for the City of Oshawa.

15. The East Whitby High School District shall be adjusted to conform to the boundaries of the two municipalities as fixed by the Order of the Board and all necessary adjustments of payments shall be made accordingly. Any surplus or deficit in the operations for 1950 will be adjusted between the City and the Township on the same basis as current assets and liabilities.

16. It is further declared and agreed by and between the parties hereto that the Order of the Board together with this agreement is in-

tended to constitute the basis of settlement of all matters relating to annexation as defined by the Order of the Board, but that any matter properly the subject of adjustment between or among the said parties and not covered by the terms of the Order of the Board and of this agreement shall not by reason of such omission be deemed to have been waived by any of the municipalities or other parties affected but shall be the subject from time to time of further negotiation and adjustment on a fair and equitable basis between the said affected parties and failing agreement accordingly shall be determined by Order of the Board upon the application of any interested municipality or other party, and it is agreed that notwithstanding any Statutory provision to the contrary lapse of time shall not be a bar to any such negotiation and adjustment or application to the Board.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested by the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

(Seal)

(Seal)

THE CORPORATION OF THE CITY  
OF OSHAWA:

MICHAEL STARR  
F. E. HARE

THE CORPORATION OF THE TOWNSHIP  
OF EAST WHITBY:

WM. E. NOBLE  
D. F. WILSON

#### *Schedule A*

To agreement dated the 18th day of December, 1950,  
between the Corporation of the City of Oshawa and  
the Corporation of the Township of East Whitby.

ALL AND SINGULAR those certain parcels or tracts of lands and premises, situate, lying and being in the Township of East Whitby, in the County of Ontario, and being composed of parts of the Broken Front, First, Second, Third and Fourth Concessions in the said Township of East Whitby, and being more particularly described as follows: Commencing at a point where the easterly limit of Lot 10 in the Broken Front Concession of the Township of East Whitby meets the water's edge of Lake Ontario; thence northerly along the easterly limit of said Lot 10 in the Broken Front Concession two thousand nine hundred and eighty-four feet four inches to a point; thence south seventy-six degrees fifty-three minutes thirty seconds west ninety-seven feet seven inches to a point; thence north forty-two degrees thirty-six minutes thirty seconds west one hundred and seventy-seven feet eleven inches to a point; thence north eighty-seven degrees thirty-two minutes west one hundred and ten feet four inches to a point; thence north twenty-five degrees three minutes west two hundred and forty-seven feet five inches to a point; thence north six degrees eleven minutes west one hundred and eleven feet two inches to a point; thence north fifty-five degrees fifty-three minutes, thirty seconds west seventy-five feet two inches to a point; thence north thirty-four degrees thirty-five minutes thirty seconds west one hundred and eighty-eight feet nine inches to a point; thence north forty degrees seven minutes west one hundred and twenty-seven feet to a point in the southerly limit of Thomas Street; thence into and along Thomas Street in a westerly direction to its intersection with Cedar Street; thence northerly along Cedar Street to a point opposite the northerly limit of Lot 3 as marked on Registered Plan 180; thence westerly along the said northerly limit of said Lot 3 and its production westerly to the westerly limit of Reserve Block A on said Registered Plan; thence northerly along said westerly limit of said Reserve



Block A on said plan to Glen Street; thence northerly along Glen Street to the northerly limit thereof; thence northerly along the westerly limit of Lot C-30 according to Sheet 31 of the Municipal Plan of the City of Oshawa to the lands of the Canadian National Railway Company; thence westerly along the southerly limit of the Canadian National Railway Company's lands to Park Road; thence northerly along Park Road to the northerly extremity thereof at Gibbs Avenue; thence continuing northerly along the westerly limit of Lot C-2 according to Sheet 11 of the Municipal Plan of the City of Oshawa to the Concession Road between the Second and Third Concessions in the said Township of East Whitby, said Concession Road being now known as Rossland Road; thence easterly along Rossland Road to Wilson Road; thence southerly along Wilson Road to the Base Line Road, now known as Bloor Street; thence continuing southerly along the unopened allowance for road between Township Lot 6 in the Broken Front Concession of the Township of East Whitby and Township Lot 7 in the said Broken Front Concession now in the City of Oshawa to Harbour Road; thence in an easterly direction along Harbour Road to a road between Lots 5 and 6 in the Broken Front Concession known as Lyman Road; thence along Lyman Road to its southerly extremity; thence from a point at the south-easterly extremity of Lyman Road on a course south forty-three degrees twenty minutes forty-five seconds east seven hundred and fourteen feet three and one-half inches more or less to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the allowance for road between the Township of East Whitby and the Township of Darlington, being the boundary between the Counties of Ontario and Durham; thence northerly along the said road marking the County line to a point opposite the line dividing the north and south halves of Lot 1 in the Second Concession of the said Township of East Whitby; thence westerly along the line dividing the north and south halves of Lots 1, 2, 3, 4 and 5 in the said Second Concession of the Township of East Whitby to the westerly limit of said Lot 5; thence northerly along the line dividing Lots 5 and 6 in the said Second Concession of the Township of East Whitby to the northerly limit of the said Second Concession; thence continuing across the Concession Road between the Second and Third Concessions of the Township of East Whitby and along the line dividing Lots 5 and 6 in the Third Concession of the said Township of East Whitby to a point one thousand six hundred and fifty feet north of the said Concession Road between the said Second and Third Concessions; thence westerly parallel with the said Concession Road to and across the road dividing Lots 6 and 7 in the Third Concession of the Township of East Whitby to the line dividing Lots 7 and 8 in the said Third Concession; thence northerly along the line dividing said Lots 7 and 8 in the Third Concession to and across the road dividing the Third and Fourth Concessions in the said Township of East Whitby and continuing along the line dividing Lots 7 and 8 in the Fourth Concession to a point midway between the south and north limits of the said Fourth Concession; thence westerly on a line parallel with the Concession Road dividing the Third and Fourth Concessions to the easterly limit of the Township of Whitby; thence southerly along the easterly limit of the Township of Whitby to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the place of beginning.

## SCHEDULE C

ARTICLES OF AGREEMENT made in duplicate this 26th day of December, 1950.

BETWEEN:

THE CORPORATION OF THE CITY OF OSHAWA, hereinafter called the City,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF EAST WHITBY, hereinafter called the Township,

OF THE SECOND PART.

WHEREAS upon the application of the City and the Township the Ontario Municipal Board has by its Order dated the 9th day of November, 1950, directed the annexation to the City of a portion of the Township of East Whitby more particularly described in Schedule A to the said Order of the Board.

AND WHEREAS by Articles of Agreement made the 18th day of December, 1950, pursuant to the Order of the Board provision was made for all such adjustments of assets and liabilities as are properly the subject of adjustment in such cases and for certain other matters arising out of the Order of the Board.

AND WHEREAS by reason of certain representations made by certain residents of the annexed area consideration has been given by the parties hereto to the further matters hereinafter set out and it has been agreed as follows:

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree to and with each other as follows:

1. For the purposes of this agreement the term "annexed area" shall mean the lands covered by the Order of annexation of the Ontario Municipal Board hereinbefore referred to; "Board" shall mean the Ontario Municipal Board; "Order of the Board" shall mean the Order of annexation hereinbefore referred to dated the 9th day of November, 1950; "agricultural lands" shall mean parcels of land in the annexed area of not less than two acres in area and used solely for agricultural purposes. Such lands shall cease to be agricultural lands within the meaning of this agreement when they are no longer used solely for agricultural purposes.

2. This agreement shall be construed as supplementary to the agreement hereinbefore referred to of the 18th day of December, 1950.

3. No local improvements shall hereafter be instituted or undertaken by the City so as to impose local improvement charges or rates upon any agricultural lands except under the provisions of Section 8 of *The Local Improvement Act*, being R.S.O. 1937, Chapter 269, and amendments thereto, or any similar provisions which may hereafter be enacted by the Legislature of the Province of Ontario to amend or replace said Section 8. Nothing in this agreement shall be construed to impair the right of property owners to petition for local improvements under the provisions of *The Local Improvement Act*, but notwithstanding any such petition the Council of the City will proceed following such petition in accordance with the provisions of said Section 8 or such similar substituted provisions.

4. Notwithstanding the terms of said Section 8 of *The Local Improvement Act* or any amended or substituted terms that may hereafter be en-

acted by the Legislature of the Province of Ontario, all owners according to the last revised assessment roll of the City of agricultural lands affected by any proposed local improvement undertaking shall be entitled to be notified by registered post prepaid of the intention of the City to proceed with such local improvement undertaking and such notice may be in the form prescribed by said Section 8 of *The Local Improvement Act* or similar form and shall be mailed not later than the day of the first publication of the said notice of intention in accordance with the terms of said Section 8.

5. The City shall forthwith make and prosecute an application to the next session of the Legislature of the Province of Ontario for a Private Act to amend the provisions of the Statutes of Ontario, 12-13 George V, Chapter 122, so as to provide:

(a) That Section 8 of *The Local Improvement Act* or such similar terms as may hereafter be enacted in lieu thereof by the Legislature of the Province of Ontario shall apply to the construction of all watermains hereafter undertaken under the terms of the said Act to the same extent as if such construction were undertaken as a local improvement.

(b) That an appeal shall lie to the Court of Revision in the same manner as in the case of local improvements and the Court of Revision shall have jurisdiction *mutatis mutandis* similar to the jurisdiction conferred upon it relating to local improvement assessments by *The Local Improvement Act* and in addition jurisdiction to exempt from the special rates imposed under the terms of 12-13 George V, Chapter 122, for a period not exceeding three years any agricultural lands which in the opinion of the Court should not be called upon to bear any part of the cost of such watermains, and provided further that the Court shall have power to renew such exemptions from time to time for like or shorter periods upon the application of any interested owner.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested by the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

(Seal)

(Seal)

THE CORPORATION OF THE CITY  
OF OSHAWA:

MICHAEL STARR  
F. E. HARE

THE CORPORATION OF THE TOWN-  
SHIP OF EAST WHITBY:

WM. E. NOBLE  
D. F. WILSON

## SCHEDULE D

ARTICLES OF AGREEMENT made in duplicate this 18th day of December, 1950.

BETWEEN:

THE CORPORATION OF THE CITY OF OSHAWA, herein-  
after called the City,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE COUNTY OF ONTARIO,  
hereinafter called the County,

OF THE SECOND PART.

WHEREAS upon the application of the City and the Township of East Whitby the Ontario Municipal Board has by its Order dated the 9th day of November, 1950, directed the annexation to the City of that portion of the Township of East Whitby named in the said Order and hereinafter more particularly described in Schedule A to this agreement;

AND WHEREAS by the terms of the said Order it is provided that all such adjustments of assets and liabilities as are properly the subject of adjustment between the affected municipalities shall be made as such municipalities may agree among themselves, or in default of such agreement as the Board may order;

AND WHEREAS it has been agreed by and between the parties hereto as hereinafter set out;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree to and with each other as follows:

1. For the purposes of this agreement the term "annexed area" shall mean the lands covered by the Order of annexation of the Ontario Municipal Board hereinbefore referred to and more particularly described in Schedule A to this agreement; "Board" shall mean the Ontario Municipal Board; "Order of the Board" shall mean the Order of annexation hereinbefore referred to dated the 9th day of November, 1950; "Township" shall mean the Township of East Whitby.

2. Any surplus funds on hand with the County in any of the following accounts, namely: County Home Account, General Account, County Road Account and Suburban Road Account, as shown by the books of the County at December 31st, 1950, shall be paid by the County to the City in the same proportion as the 1950 equalized assessment of the annexed area bears to the 1950 equalized assessment of the County. Against such indebtedness of the County to the City shall be set and deducted any deficit in any of the foregoing accounts as shown by the books of the County at December 31st, 1950, and in the event of such deficit exceeding the surplus funds on hand in all of the said accounts then the City shall pay the amount of such deficit to the County in the same proportion as the 1950 equalized assessment of the annexed area bears to the 1950 equalized assessment of the County. For the purposes of this agreement the Suburban Road Account shall be deemed to be one-half of the total account in the hands of the County for suburban road purposes, the other half being in the amount supplied by the City in respect of its half interest in such suburban roads.

3. The debenture indebtedness, including principal and interest, of the County as outstanding and unpaid on December 31st, 1950 (excluding any debentures issued by the County during 1950), shall be borne and paid by the City in the same proportion as the 1950 equalized assessment of the annexed area bears to the 1950 equalized assessment of the County, and such payments shall be made by the City to the County from time to time as required to meet such debenture indebtedness as it falls due.

4. Notwithstanding the foregoing the City shall not be liable to bear any portion of any debenture debt of the County relating to debentures issued during the year 1950.

5. For the purpose of making the computations necessary by reason of this agreement and of the Order of the Board the County shall compute the amount of the equalized assessment of the County upon which County taxes were levied in the years 1926 to 1950 inclusive, both with and without the annexed area. For the purposes of this agreement, where the term "equalized assessment" is used with reference to any year or term of years it shall mean equalized assessments upon which County rates were levied during such year or term of years.

6. For the purposes of accounting between the City and the County the valuation of the lands and buildings of the Home for the Aged for the County of Ontario shall be \$51,708.96 less the amount of the selling price of any lands and buildings which shall have been sold before the 31st day of December, 1950.

7. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance of wards of any Children's Aid Society the charges for whose maintenance are payable by the County and which charges were imposed upon the County by reason of residence in the annexed area or by reason of the ward having been taken into custody in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such wards admitted on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

8. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance of indigent patients in any public hospital covering hospital treatment from and after the first day of January, 1951, the charges for whose maintenance are payable by the County and which charges were imposed on the County by reason of residence in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such indigent patients admitted on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

9. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance of residents of the Home for the Aged for the County of Ontario from and after the first day of January, 1951, the charges for whose maintenance are payable by the County and which charges were imposed on the County by reason of residence in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such residents of the Home for the Aged for the County of Ontario admitted on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

10. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance or other proper charges under *The Training Schools Act, 1939*, for any boy or girl committed to a Training School within the meaning of the said Act, from and after the first day of January, 1951, the charges

for whose maintenance are payable by the County and which charges were imposed on the County by reason of residence in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such boy or girl committed to a Training School within the meaning of the said Act on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

11. Any valuations necessary for the purposes of this agreement and in order to compute the balances payable under the terms of paragraphs 12, 13, 14 and 15 hereof shall be as may be agreed upon by the representatives chosen for the purpose by the City and the County and in default of any such agreement shall be fixed by the Board.

12. The County shall pay to the City a sum of money representing the proportionate interest of the annexed area in the following property of the County, namely:

- (a) Road machinery and equipment;
- (b) Gravel pits;
- (c) County garage and warehouses;
- (d) Furnishings of the Home for the Aged for the County of Ontario;
- (e) Farm machinery and equipment of the Home for the Aged for the County of Ontario.

The proportionate interest shall be computed as being that portion of the value of the said assets that bears the same relation to their total value as the average equalized assessment of the annexed area for the period of ten years last preceding the 31st day of December, 1950, bears to the average equalized assessment of the County for the same period.

13. The County shall pay to the City a sum of money representing the proportionate interest of the annexed area in the livestock and feeds on hand at the 31st day of December, 1950, at the farm of the Home for the Aged for the County of Ontario, such proportionate interest to be computed as being that portion of the value of the said assets that bears the same relation to their total value as the average equalized assessment of the annexed area for the year 1950 bears to the average equalized assessment of the County for the same period.

14. The County shall pay to the City a sum of money representing the proportionate interest of the annexed area in the furnishings of the offices of the Assessor, the Clerk-Treasurer and the County Engineer and in the furnishings of the Council Chambers of the County Buildings and in the lands and in the buildings of the Home for the Aged for the County, such proportionate interest to be computed as being that portion of the value of the said assets that bears the same relation to their total value as the average equalized assessment of the annexed area for the period of twenty-five years last preceding the 31st day of December, 1950, bears to the average equalized assessment of the County for the same period.

15. The valuation for the purposes of this agreement of land, buildings, machinery and equipment pertaining to the Road Department of the County shall be taken to be fifty per cent of the actual value as determined by the representatives of both municipalities or otherwise under the terms of this agreement, the other fifty per cent being represented by the sums invested in such property and equipment provided in the form of subsidies of the Department of Highways of the Province of Ontario.

16. The interest of the City in common with the County in the County Buildings, including the County Jail, County Registry Office, Court House and County Offices and the sites thereof, shall be increased

by a proportion or share computed as being that portion of the value of the said assets that bears the same relation to 87½% of their total value as the average equalized assessment of the annexed area for the period of twenty-five years last preceding the 31st day of December, 1950, bears to the average equalized assessment of the County for the same period. Such additional proportion or value shall be calculated upon 87½% of the total value of the said lands and buildings immediately prior to the Order of the Board. This paragraph shall not be construed as an admission of any property interest of the City in the said lands and buildings.

17. For the purposes of this agreement the valuation of the lands and buildings of the Children's Shelter of the County of Ontario and the City of Oshawa is fixed at the sum of \$34,450.00, the said lands and buildings having been the property in equal shares of the City and the County. It is, therefore, agreed that the interest of the annexed area in the said Children's Shelter is represented by the sum of \$1,348.20, which is computed as the same proportion of the value of one-half of the said lands and buildings as the average equalized assessment of the annexed area for the last thirteen years bears to the average equalized assessment of the County for last thirteen years. The County, therefore, agrees to pay to the City the said sum of \$1,348.20 in full satisfaction of the interest of the annexed area in the said lands and buildings so that the ownership of the said lands and buildings shall remain vested in equal shares in the City and the County.

18. Any payments to be made to the City by the County under the provisions of paragraphs 2, 12, 13, 14 and 17 shall be paid not later than the 31st day of December, 1951.

19. It is further declared and agreed by and between the parties hereto that the Order of the Board together with this agreement is intended to constitute the basis of settlement of all matters relating to annexation as defined by the Order of the Board, but that any matter properly the subject of adjustment between or among the said parties and not covered by the terms of the Order of the Board and of this agreement shall not by reason of such omission be deemed to have been waived by any of the municipalities or other parties affected but shall be the subject from time to time of further negotiation and adjustment on a fair and equitable basis between the said affected parties and failing agreement accordingly shall be determined by Order of the Board upon the application of any interested municipality or other party, and it is agreed that notwithstanding any Statutory provision to the contrary lapse of time shall not be a bar to any such negotiation and adjustment or application to the Board.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested by the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

(Seal)

(Seal)

THE CORPORATION OF THE CITY  
OF OSHAWA:

MICHAEL STARR  
F. E. HARE

THE CORPORATION OF THE COUNTY  
OF ONTARIO:

RAE M. FERGUSON  
WM. S. MANNING

*Schedule A*

To agreement dated the 18th day of December, 1950,  
between the Corporation of the City of Oshawa and the  
Corporation of the County of Ontario.

ALL AND SINGULAR those certain parcels or tracts of lands and premises, situate, lying and being in the Township of East Whitby, in

the County of Ontario, and being composed of parts of the Broken Front, First, Second, Third and Fourth Concessions in the said Township of East Whitby, and being more particularly described as follows: Commencing at a point where the easterly limit of Lot 10 in the Broken Front Concession of the Township of East Whitby meets the water's edge of Lake Ontario; thence northerly along the easterly limit of said Lot 10 in the Broken Front Concession two thousand nine hundred and eighty-four feet four inches to a point; thence south seventy-six degrees fifty-three minutes thirty seconds west ninety-seven feet seven inches to a point; thence north forty-two degrees thirty-six minutes thirty seconds west one hundred and seventy-seven feet eleven inches to a point; thence north eighty-seven degrees thirty-two minutes west one hundred and ten feet four inches to a point; thence north twenty-five degrees three minutes west two hundred and forty-seven feet five inches to a point; thence north six degrees eleven minutes west one hundred and eleven feet two inches to a point; thence north fifty-five degrees fifty-three minutes, thirty seconds west seventy-five feet two inches to a point; thence north thirty-four degrees thirty-five minutes thirty seconds west one hundred and eighty-eight feet nine inches to a point; thence north forty degrees seven minutes west one hundred and twenty-seven feet to a point in the southerly limit of Thomas Street; thence into and along Thomas Street in a westerly direction to its intersection with Cedar Street; thence northerly along Cedar Street to a point opposite the northerly limit of Lot 3 as marked on Registered Plan 180; thence westerly along the said northerly limit of said Lot 3 and its production westerly to the westerly limit of Reserve Block A on said Registered Plan; thence northerly along said westerly limit of said Reserve Block A on said plan to Glen Street; thence northerly along Glen Street to the northerly limit thereof; thence northerly along the westerly limit of Lot C-30 according to Sheet 31 of the Municipal Plan of the City of Oshawa to the lands of the Canadian National Railway Company; thence westerly along the southerly limit of the Canadian National Railway Company's lands to Park Road; thence northerly along Park Road to the northerly extremity thereof at Gibbs Avenue; thence continuing northerly along the westerly limit of Lot C-2 according to Sheet 11 of the Municipal Plan of the City of Oshawa to the Concession Road between the Second and Third Concessions in the said Township of East Whitby, said Concession Road being now known as Rossland Road; thence easterly along Rossland Road to Wilson Road; thence southerly along Wilson Road to the Base Line Road, now known as Bloor Street; thence continuing southerly along the unopened allowance for road between Township Lot 6 in the Broken Front Concession of the Township of East Whitby and Township Lot 7 in the said Broken Front Concession now in the City of Oshawa to Harbour Road; thence in an easterly direction along Harbour Road to a road between Lots 5 and 6 in the Broken Front Concession known as Lyman Road; thence along Lyman Road to its southerly extremity; thence from a point at the south-easterly extremity of Lyman Road on a course south forty-three degrees twenty minutes forty-five seconds east seven hundred and fourteen feet three and one-half inches more or less to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the allowance for road between the Township of East Whitby and the Township of Darlington, being the boundary between the Counties of Ontario and Durham; thence northerly along the said road marking the County line to a point opposite the line dividing the north and south halves of Lot 1 in the Second Concession of the said Township of East Whitby; thence westerly along the line dividing the north and south halves of Lots 1, 2, 3, 4 and 5 in the said Second Concession of the Township of East Whitby to the westerly limit of said Lot 5; thence northerly along the line dividing Lots 5 and 6 in the said Second Concession of the Township of East Whitby to the northerly limit of the said Second Concession; thence continuing across the Concession Road between the Second and Third Concessions of the Township of East Whitby and along the line dividing Lots 5 and 6 in the Third Concession of the said Township of East Whitby to a point one thousand six hundred and fifty feet north of the said Concession Road between the said Second and Third Concessions; thence westerly parallel with the said Concession Road to and across the road dividing Lots 6 and 7 in the Third Concession of the Township of East Whitby to the line dividing Lots 7 and 8 in the said Third Concession; thence northerly along the line dividing said Lots 7 and 8 in the Third Concession to and across the road



dividing the Third and Fourth Concessions in the said Township of East Whitby and continuing along the line dividing Lots 7 and 8 in the Fourth Concession to a point midway between the south and north limits of the said Fourth Concession; thence westerly on a line parallel with the Concession Road dividing the Third and Fourth Concessions to the easterly limit of the Township of Whitby; thence southerly along the easterly limit of the Township of Whitby to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the place of beginning.

BILL

An Act respecting the City of Oshawa

*1st Reading*

February 13th, 1951

*2nd Reading*

*3rd Reading*

MR. THOMAS (Ontario)

*(Reprinted as amended by the Committee  
on Private Bills)*

No. 26

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Oshawa

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MR. THOMAS (Ontario)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



No. 26

1951

# BILL

## An Act respecting the City of Oshawa

**W**HEREAS the Corporation of the City of Oshawa by <sup>Preamble.</sup> its petition has prayed for special legislation in respect of the several matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Order P.F. C-2042 of the Ontario Municipal Board <sup>Annexation order confirmed.</sup> dated the 9th day of November, 1950, set forth as Schedule A hereto, is hereby confirmed.

**2.** The said Order shall be deemed to have had effect on <sup>Effective date.</sup> and after the 1st day of January, 1951.

**3.** The agreement between the Corporation of the City of Oshawa and the Corporation of the Township of East Whitby dated the 18th day of December, 1950, set forth as Schedule B hereto, is ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder. <sup>Agreement validated.</sup>

**4.** The supplementary agreement between the Corporation <sup>Idem.</sup> of the City of Oshawa and the Corporation of the Township of East Whitby dated the 26th day of December, 1950, set forth as Schedule C hereto, is ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

**5.** The agreement between the Corporation of the City of <sup>Idem.</sup> Oshawa and the Corporation of the County of Ontario dated the 18th day of December, 1950, set forth as Schedule D hereto, is ratified and confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties

are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

1922, c. 122,  
amended.

**6.** *An Act respecting the Town of Oshawa*, being chapter 122 of the Statutes of Ontario, 1922, is amended by adding thereto the following sections:

Application  
of Rev. Stat.,  
c. 215, to  
watermains.

5a. Notwithstanding anything contained herein, where it is intended to proceed under this Act to undertake the construction of watermains, section 8 of *The Local Improvement Act* shall apply *mutatis mutandis* to the proceedings under this Act, and no such construction of watermains shall be undertaken except in accordance with the said section of *The Local Improvement Act*.

Appeals,  
jurisdiction  
of court  
of revision.

5b. In every such case an appeal shall lie at the instance of an owner affected by any such by-law in the same manner as in the case of local improvements and the court of revision shall have jurisdiction *mutatis mutandis* similar to the jurisdiction conferred upon it relating to local improvement assessments by *The Local Improvement Act* and in addition jurisdiction to exempt from the special rates imposed under the terms of this Act for a period not exceeding three years any agricultural lands which in the opinion of the court should not be called upon to bear any part of the cost of such watermains, and provided further that the court shall have power to renew such exemptions from time to time for like or shorter periods upon the application of any interested owner.

Commence-  
ment.

**7.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**8.** This Act may be cited as *The City of Oshawa Act, 1951*.

## SCHEDULE A

P.F. C-2042

Thursday, the ninth day of November, A.D. 1950

## BEFORE:

W. J. MOORE, O.L.S.,  
Vice-Chairman,

—and—

C. D. WIGHT, B.Sc., O.L.S.,  
Member.

IN THE MATTER OF "The Municipal Act" (R.S.O. 1937, Chapter 266) and amending Acts, and

IN THE MATTER OF the application of the Corporation of the City of Oshawa and the Corporation of the Township of East Whitby for annexation to the City of Oshawa of certain lands in the Township of East Whitby.

UPON THE JOINT APPLICATION of the Corporation of the City of Oshawa and the Corporation of the Township of East Whitby coming on for hearing before this Board in the Council Chamber at the City Hall in the City of Oshawa on the 27th day of June, 1950, and in the presence of Counsel for the City of Oshawa, Counsel for the Corporation of the County of Ontario, Counsel for certain interested property owners and a number of members of Council and officers of the City of Oshawa, the County of Ontario, and the Township of East Whitby, and a number of property owners and residents of the said municipalities who appeared in person;

AND UPON reading By-law No. 2754 of the City of Oshawa and By-law No. 1437 of the Township of East Whitby, authorizing an application for annexation of part of the Township of East Whitby to the City of Oshawa;

AND UPON certified copies of such by-laws being duly filed with the Board;

AND UPON hearing what was alleged by Counsel aforesaid and by a number of the said members of Council and other officers and other interested persons;

AND UPON being satisfied that public notice of the hearing had been given as directed by the Board;

I. THE BOARD ORDERS under and in pursuance of Section 23 of *The Municipal Act* and amendments thereto that that part of the Township of East Whitby described in Schedule A to this Order (hereinafter referred to as "the annexed area") be and the same is hereby annexed to the City of Oshawa.

## II. THE BOARD FURTHER ORDERS AS FOLLOWS:

1. Subject to the provisions of sub-section 14 of Section 23 of *The Municipal Act* and amendments thereto that part of the Township of East Whitby described in Schedule A to this Order shall come into effect on the first day of January, A.D. 1951.

2. The taxes, assessments, rents, water, school and other rates, including business taxes, in respect of the annexed area to be levied by the City of Oshawa (hereinafter referred to as "the City") in respect of the annexed area shall from and after January 1, A.D. 1951, be the same and be payable at the same time and in the same manner as taxes, assessments, rents, water, school and other rates, including business taxes, levied and raised from time to time on property within the City (other than the annexed area) and the owners and occupants thereof.

3. The Township of East Whitby (hereinafter referred to as "the Township") shall assess the annexed area and persons occupying lands in the annexed area for business purposes for taxation for the year 1951

at the same time and in the same manner as other assessments are made within the boundaries of the Township for taxes payable for the year 1951, and that portion of the Assessment Roll of the Township relating to the annexed area for taxation for the year 1951 shall be delivered to the City and shall be incorporated by the City in the City's Assessment Roll for taxation for the year 1951 and shall be used and employed for such taxation purposes in the same manner and to the same extent as though such assessment had been prepared and completed by the Assessor of the City and the said annexed area had been within the limits of the City at the time of such assessment. Such assessments shall nevertheless be subject to appeal to the Court of Revision of the Township and to such further appeal in accordance with the provisions of *The Assessment Act* and amending statutes to the same extent as though this Order had not been made.

4. The whole rateable property within the annexed area according to the said assessment shall be subject to levy by the City for taxes for the year 1951 in the same manner and to the same extent as other lands in the City.

5. The Township shall at all reasonable times allow the City, its servants and agents, access to the Assessment Rolls of the Township insofar as they relate to the annexed area, and to all local improvement by-laws and local improvement assessment rolls relating thereto, and also to all plans, surveys and maps relating to the annexed area.

6. (a) All taxes, including business taxes, imposed by the Township on or with respect to the annexed area up to December 31st, 1950, and due and unpaid at the first day of January, A.D. 1951 shall belong to the City.

(b) The Township shall prepare and furnish to the City a special Collectors Roll showing all arrears of taxes including business taxes or special rates assessed against or with respect to the annexed area to December 31st, A.D. 1950, and remaining unpaid and the name of the persons liable for payment of the same. The City shall have the right to collect and shall collect such arrears of taxes, including business taxes, in the same manner and with all the rights and powers, including the right to sell lands for arrears of taxes, provided by *The Assessment Act* or any other Act as fully and effectually as though the said taxes had been levied by the City.

7. The present assessments of all lands within the annexed area having an area of not less than two acres or more than eight acres and used solely for agricultural purposes are to continue for a period of five years from January 1st, A.D. 1951, unless within that period the lands are sub-divided, in which case this fixation of assessment shall terminate. The present assessments of all lands within the annexed area having an area of more than eight acres and used solely for agricultural purposes shall continue for a period of ten years from January 1st, A.D. 1951, unless the same are sub-divided within that period, in which case this fixation of assessment shall terminate. This paragraph shall not apply to alterations, additions, improvements and new structures which shall be assessed in accordance with the provisions of *The Assessment Act*.

8. The election to be held in the year 1950 by the Township for the Council of the Township for 1951 and all proceedings in connection therewith shall be held as if the annexed area did not form part of the Township.

9. The Township shall in 1950 prepare a special Voters' List under *The Voters' Lists Act* in respect of the annexed area, and the City may use such list for the purpose of the election of the Council, the Board of Education and the Public Utilities Commission of the City for the year 1951 in the same manner and to the same extent as if the said list had been prepared as part of the Voters' List of the City for the year 1950 and as if the annexed area were part of the City at the time of the preparation of the said list and at the time of the said election. The persons shown on the said special Voters' List to be entitled to vote at municipal elections and the persons shown thereon to be entitled to be candidates at such elections shall respectively be entitled, if otherwise qualified by law, to



vote and to be candidates at the election of the Council, the Board of Education and the Public Utilities Commission of the City for the year 1951.

10. Subject to any by-law hereafter enacted by the Council of the City the annexed area shall be deemed to be an additional ward of the City to be known as Ward Number 6, and the Council of the Corporation of the City shall accordingly be enlarged by two additional Aldermen, and all necessary by-laws shall be deemed to have been passed and enacted and all other necessary acts and things done to enable the City to conduct an election for the year 1951 for a Council to include twelve Aldermen to be elected by a general vote in the same manner as if the City had heretofore included the annexed area and had been divided into six wards.

11. The Councils of the City and the Township respectively may pass by-laws re-arranging and re-numbering the Polling Sub-divisions of the respective municipalities in accordance with the altered boundaries as determined by this Order in the same manner and having the same force and validity as though the annexed area were part of the City and not part of the Township.

12. All matters relating to assessment of the annexed area and the preparation of the Assessment Roll for the taxation year 1951 according to Paragraph 3 of this Order, and all matters relating to municipal elections in the Township and in the City and the preparation of Voters Lists and the conduct of elections in both municipalities, and in particular the provisions of Paragraphs 8, 9, 10 and 11 of this Order, shall be valid and binding notwithstanding the date at which this Order becomes effective and for such purposes this Order shall be deemed to have been in full force and effect prior to the time when such proceedings were had and taken.

13. All right, title and interest of the Township and of the County of Ontario in the highways and streets in the annexed area, together with any and all right, title and interest in any public improvements made by or at the expense of the Township or County of Ontario therein, and in any franchises or agreements heretofore given and made, insofar only as they affect the operations of the said highways and streets in the annexed area, shall vest in the City as and from the first day of January, 1951.

14. From and after the effective date of this Order the jurisdiction of the Public Utilities Commission of the City of Oshawa in the supply of water and electric power shall extend to the annexed area as fully as it existed within the boundaries of the City before this Order was made, and all residents within the annexed area shall be entitled to receive water and electric services insofar as such services are available for the same charges and upon the same terms as other residents of the City.

15. The Township will continue to provide the ordinary municipal services to the annexed area until the effective date of this Order.

16. All debenture debt of the Township outstanding at the effective date of this Order relating to local improvements made in the annexed area shall be assumed and paid by the City. Where such local improvement indebtedness relates to the installation of watermains such indebtedness shall be assumed and paid by the City without imposing and collecting further local improvement rates or assessment. In all other cases the City shall be entitled to recover all local improvement rates and assessments owing from and after the effective date of this Order to the same extent as if the improvement had been made and all necessary by-laws passed by the City and to the same extent as the Township would have been entitled to recover the same if this Order had not been made.

17. Any payments commuted and paid in advance by property owners with respect to local improvement charges for watermains will be repaid to them or their successors in title to the extent that such payments are in excess of the annual assessment to the effective date of this Order.

18. A sum of money amounting to \$15,186.11 in the hands of the Treasurer of the Township, representing reserve of unapplied prepayments

on local improvement charges for watermain, shall be paid over to the Public Utilities Commission of the City of Oshawa and applied by the Commission to the refund of any such commuted payments and to the reduction of the indebtedness on watermain debenture charges.

19. Any local improvements in progress for which at the effective date of this Order debentures have not been issued will be assumed by the City and the City will repay to the Township any funds paid out on account of such improvements and the City will assume any outstanding loans with relation to such expenditures and will complete any such work remaining unfinished. Any unexpended proceeds of debenture issues will be paid by the Township to the City.

20. Upon the effective date of this Order the school sites and buildings, together with contents thereof and other assets the property of the Public School Boards of Union School Sections Number 4 and 5 in the Townships of Whitby and East Whitby shall become the property of the Board of Education for the City of Oshawa and shall be conveyed upon request by the Trustees of the said Union School Sections accordingly. Pupils resident in those parts of the said Union School Sections now in the Township of Whitby, up to a maximum of fifty pupils in all, may continue to attend the said schools upon payment of an amount per pupil not exceeding two-thirds of the maximum fees which the Board of Education for the City of Oshawa would be entitled to charge for pupils attending its public schools from other points outside the City, and this provision shall remain operative with respect to each of the said Union School Sections respectively so long as the school appertaining to such Section continues to be operated by the said Board of Education.

21. Upon the said Board of Education ceasing to operate either of the said schools as a public school then the School so discontinued shall be and become the property of that part of the Union School Section concerned lying within the Township of Whitby and title to the lands and buildings and contents shall be transferred accordingly for the nominal consideration of \$1.00 to the Township of Whitby or to any Board entitled to represent the portion of such Union School Section in the Township of Whitby.

22. Upon either of such school properties being no longer operated as public schools and upon conveyance thereof as aforesaid to the Township of Whitby or the appropriate school board then the rights of pupils resident in the portion of such Union School Section within the Township of Whitby to attend Oshawa schools at preferred rates shall cease.

23. Upon the effective date of this Order the school site and buildings together with all contents thereof and other property and assets of the Public School Board of Union School Section Number 6 for the Townships of East Whitby and Darlington shall become the property of the Board of Education for the City of Oshawa and shall be conveyed upon request by the Trustees of the said Union School Section accordingly.

24. The City shall pay to the Township of Darlington the sum of \$1,964.09, being the amount of principal and interest paid by the said Township upon the debenture debt relating to the said Union School Section Number 6 and will assume and discharge all future payments both for principal and interest upon the said debenture debt.

25. No pupils from the Township of Darlington shall after the effective date of this Order be entitled to attend the said school except as non-resident pupils upon the usual terms.

26. All such adjustments of assets and liabilities as between the municipalities, including the County of Ontario affected by this Order shall be made between such municipalities as they may agree among themselves and in the event of the said interested municipalities not being able to agree upon such adjustments then any of the said municipalities may apply to this Board to determine the matter by further Order. The rights and claims of all parties affected by this Order under the provisions of *The Public Schools Act*, including School Sections and Union School Sections located in whole or in part in the annexed area, shall be adjusted

and settled by agreement between the Board of Education for the City of Oshawa and the other parties thereby affected including the Trustees of the said School Sections, and in default of such an adjustment being agreed upon then the provisions of Section 38 of *The Public Schools Act* shall apply except as provided by paragraphs 20 to 25 inclusive of this Order.

27. Any matter properly the subject of adjustment between or among parties affected by this Order and not covered by the terms of this Order shall not by reason of such omission be deemed to have been waived by any of the municipalities or other parties affected but shall be adjusted from time to time on a fair and equitable basis by and between the said affected parties and failing agreement accordingly shall be determined by Order of this Board upon the application of any such interested municipality or other party.

(Sgd.) W. J. MOORE,  
Vice-Chairman.

(Seal)

#### *Schedule A*

ALL AND SINGULAR those certain parcels or tracts of lands and premises, situate, lying and being in the Township of East Whitby, in the County of Ontario, and being composed of parts of the Broken Front, First, Second, Third and Fourth Concessions in the said Township of East Whitby, and being more particularly described as follows: Commencing at a point where the easterly limit of Lot 10 in the Broken Front Concession of the Township of East Whitby meets the water's edge of Lake Ontario; thence northerly along the easterly limit of said Lot 10 in the Broken Front Concession two thousand nine hundred and eighty-four feet four inches to a point; thence south seventy-six degrees fifty-three minutes thirty seconds west ninety-seven feet seven inches to a point; thence north forty-two degrees thirty-six minutes thirty seconds west one hundred and seventy-seven feet eleven inches to a point; thence north six degrees eleven degrees thirty-two minutes west one hundred and ten feet four inches to a point; thence north twenty-five degrees three minutes west two hundred and forty-seven feet five inches to a point; thence north six degrees eleven minutes west one hundred and eleven feet two inches to a point; thence north fifty-five degrees fifty-three minutes, thirty seconds west seventy-five feet two inches to a point; thence north thirty-four degrees thirty-five minutes thirty seconds west one hundred and eighty-eight feet nine inches to a point; thence north forty degrees seven minutes west one hundred and twenty-seven feet to a point in the southerly limit of Thomas Street; thence into and along Thomas Street in a westerly direction to its intersection with Cedar Street; thence northerly along Cedar Street to a point opposite the northerly limit of Lot 3 as marked on Registered Plan 180; thence westerly along the said northerly limit of said Lot 3 and its production westerly to the westerly limit of Reserve Block A on said Registered Plan; thence northerly along said westerly limit of said Reserve Block A on said plan to Glen Street; thence northerly along Glen Street to the northerly limit thereof; thence northerly along the westerly limit of Lot C-30 according to Sheet 31 of the Municipal Plan of the City of Oshawa to the lands of the Canadian National Railway Company; thence westerly along the southerly limit of the Canadian National Railway Company's lands to Park Road; thence northerly along Park Road to the northerly extremity thereof at Gibbs Avenue; thence continuing northerly along the westerly limit of Lot C-2 according to Sheet 11 of the Municipal Plan of the City of Oshawa to the Concession Road between the Second and Third Concessions in the said Township of East Whitby, said Concession Road being now known as Rossland Road; thence easterly along Rossland Road to Wilson Road; thence southerly along Wilson Road to the Base Line Road, now known as Bloor Street; thence continuing southerly along the unopened allowance for road between Township Lot 6 in the Broken Front Concession of the Township of East Whitby and Township Lot 7 in the said Broken Front Concession now in the City of Oshawa to Harbour Road; thence in an easterly direction along Harbour Road to a road between Lots 5 and 6 in the Broken Front Concession known as Lyman Road; thence along Lyman Road to its southerly ex-

tremity; thence from a point at the south-easterly extremity of Lyman Road on a course south forty-three degrees twenty minutes forty-five seconds east seven hundred and fourteen feet three and one-half inches more or less to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the allowance for road between the Township of East Whitby and the Township of Darlington, being the boundary between the Counties of Ontario and Durham; thence northerly along the said road marking the County line to a point opposite the line dividing the north and south halves of Lot 1 in the Second Concession of the said Township of East Whitby; thence westerly along the line dividing the north and south halves of Lots 1, 2, 3, 4 and 5 in the said Second Concession of the Township of East Whitby to the westerly limit of said Lot 5; thence northerly along the line dividing Lots 5 and 6 in the said Second Concession of the Township of East Whitby to the northerly limit of the said Second Concession; thence continuing across the Concession Road between the Second and Third Concessions of the Township of East Whitby and along the line dividing Lots 5 and 6 in the Third Concession of the said Township of East Whitby to a point one thousand six hundred and fifty feet north of the said Concession Road between the said Second and Third Concessions; thence westerly parallel with the said Concession Road to and across the road dividing Lots 6 and 7 in the Third Concession of the Township of East Whitby to the line dividing Lots 7 and 8 in the said Third Concession; thence northerly along the line dividing said Lots 7 and 8 in the Third Concession to and across the road dividing the Third and Fourth Concessions in the said Township of East Whitby and continuing along the line dividing Lots 7 and 8 in the Fourth Concession to a point midway between the south and north limits of the said Fourth Concession; thence westerly on a line parallel with the Concession Road dividing the Third and Fourth Concessions to the easterly limit of the Township of Whitby; thence southerly along the easterly limit of the Township of Whitby to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the place of beginning.

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## SCHEDULE B

ARTICLES OF AGREEMENT made in duplicate this 18th day of December, 1950.

BETWEEN:

THE CORPORATION OF THE CITY OF OSHAWA, herein-  
after called the City,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF EAST WHITBY,  
hereinafter called the Township,

OF THE SECOND PART.

WHEREAS upon the application of the City and the Township the Ontario Municipal Board has by its Order dated the 9th day of November, 1950, directed the annexation to the City of that portion of the Township of East Whitby named in the said Order and hereinafter more particularly described in Schedule A to this agreement;

AND WHEREAS by the terms of the said Order it is provided that all such adjustments of assets and liabilities as are properly the subject of adjustment between such municipalities shall be made as such municipalities may agree among themselves, or in default of such agreement as the Board may order;

AND WHEREAS it has been agreed by and between the parties hereto as hereinafter set out;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree to and with each other as follows:

1. For the purposes of this agreement the term "annexed area" shall mean the lands covered by the Order of annexation of the Ontario Municipal Board hereinbefore referred to and more particularly described in Schedule A to this agreement; "Board" shall mean the Ontario Municipal Board; "Order of the Board" shall mean the Order of annexation hereinbefore referred to dated the 9th day of November, 1950.

2. All lands within the annexed area belonging to the Township (other than highways and streets, title to which is provided for in paragraph 13 of the Order of the Board), subject nevertheless to the provisions hereinafter set out with respect to schools and school sites, shall belong to the City and shall be conveyed to the City by the Township upon request. For greater certainty the said lands so to be conveyed shall be deemed to include lands belonging to the Township and being used at the date of the Order of the Board as parks or recreation areas. The City shall be required to compensate the Township for such real property, other than parks and recreation areas, at a valuation to be agreed upon by the Assessors of the City and the Township, or in default of such agreement to be fixed by the Board.

3. All other fixed assets and equipment of the Township, including real property (except the Township Hall and its site at the Village of Columbus, school properties and tax sale lands outside the annexed area), office equipment, road machinery and motor vehicles, gravel pit, tile plant, Medical Officer's supplies and equipment and other assets of a like nature, shall be retained by the Township or sold by the Township if it so elects within six months after the effective date of the Order of the Board. Insofar as the Township elects to retain such property, a valuation shall be placed upon the same by agreement between the two municipalities, or failing such agreement shall be fixed by the Board. In any event the

Township shall be liable to compensate the City on the basis of the valuation or sale price as the case may be. The valuation of road machinery and equipment and the Township garage shall for the purposes of this agreement be reduced by 50 per cent by reason of the subsidies paid by the Province of Ontario to the Township and invested in the purchase thereof. The Township Hall and site at the Village of Columbus, the school properties and tax sale lands outside the annexed area shall not be the subject of compensation and shall remain the property of the Township and the School Sections interested.

4. In all accounting between the Township and the City with relation to fixed assets, being the assets covered by paragraphs 2 and 3 of this agreement, the City's share of such assets for the purposes of this agreement shall be 71.876% and the Township's share 28.124%.

5. For the purposes of this agreement current assets shall be construed to mean cash on hand and on deposit in bank accounts (saving always as herein otherwise provided), current supplies on hand, subsidies receivable, accounts receivable, prepaid expenses and taxes receivable including arrears of taxes. The Township shall be liable to account to the City for the value of all current assets and the City's share of such accounting shall be 76.821% and the Township's share 23.179%.

6. Taxes receivable including arrears of taxes as referred to in paragraph 5 shall mean and include all taxes owing upon lands within the annexed area at December 31st, 1950, including penalties accrued to that date, and on and after January 1st, 1951, all such taxes including penalties shall belong to and be payable to the City, and in the accounting between the City and the Township shall be charged to the City at their full face value as current assets transferred to the City's account.

7. Notwithstanding anything herein contained to the contrary the Township lands within the annexed area which have come into the possession of the Township by reason of tax sales heretofore conducted shall be transferred and conveyed to the City at a valuation of \$6,725.00, providing however that in the event of the sale of any such lands before the effective date of the Order of the Board the portion of such valuation relating to such lands so sold shall be deducted from the total valuation for the purposes of accounting between the City and the Township and the funds received from such sale shall be divided in the same manner as current assets.

8. The City in the adjustment of accounts shall pay to the Township one-half the cost of the assessment of the Township for the year 1950, but such payment shall be computed as part of the cash on hand for the purposes of adjustment of assets.

9. Accounts payable by the Township as owing and unpaid at December 31st, 1950, shall be paid by the Township and an amount representing 76.821% thereof shall be charged to the City in the accounting between the City and the Township.

10. Upon the taking of accounts as hereinbefore provided between the City and the Township, the one party shall be liable to compensate the other in cash to balance the said accounts. The effective date with respect to which all such accounting shall be computed shall be the effective date of annexation, the first day of January, 1951. Any balance payable by either party to the other shall be settled and paid on or before the 31st day of December, 1951.

11. The City shall assume and pay from and after the first day of January, 1951, charges and expenses for what is known as aftercare of tubercular patients discharged from sanatoria being charged and imposed in accordance with *The Sanatoria for Consumptives Act* and any other charges under the said Act for which the Township would otherwise be liable but for the Order of the Board with respect to persons whose residence is traceable to the annexed area.

The City shall also assume and pay from and after the first day of January, 1951, the costs of unemployment relief under the provisions of

*The Unemployment Relief Act* relating to persons whose residence is defined in the said Act and the regulations made thereunder as traceable to the annexed area.

12. All school sites and buildings including those portions of Union School Sections with their sites and buildings lying within the annexed area shall from and after the first day of January, 1951, be deemed to be a part of the City of Oshawa for school purposes and shall belong to and be administered by the Board of Education for the City of Oshawa. For greater certainty the School Sections hereby affected are the following, namely: School Sections No. 1, 10 and 11 of the Township of East Whitby, and Union School Sections No. 4 and 5 of the Townships of East Whitby and Whitby and Union School Section No. 6 of the Townships of East Whitby and Darlington. With respect to the said Union School Sections the terms of the Order of the Board shall apply as they affect the disposition of the said respective school sites and property. In all the said School Sections including the said Union School Sections, the school site and property shall be transferred and conveyed to the Board of Education for the City of Oshawa upon request by the Trustees for the time being in office in the respective sections.

13. The City shall assume and discharge the outstanding debenture debt owing with respect to all of the said School Sections, being the following, namely:

Union School Section No. 6—By-law 973, 1925, 30 years,  $5\frac{1}{2}\%$ , originally \$8,500.00, at the end of 1950—\$2,497.47.

Union School Section No. 6—By-law 1373, 1948, 5 years,  $2\frac{1}{2}\%$ , \$3,000.00, at the end of 1950—\$1,840.00.

School Section No. 1—By-law 957, 1924, 30 years, 5%, \$40,000.00, at the end of 1950—\$9,226.77.

School Section No. 10—By-law 972, 1925, 30 years,  $5\frac{1}{2}\%$ , \$50,000.00, at the end of 1950—\$14,690.93.

School Section No. 10—By-law 1021, 1928, 30 years,  $5\frac{1}{2}\%$ , \$36,000.00, at the end of 1950—\$15,690.69.

School Section No. 11—By-law 1022, 1928, 30 years,  $5\frac{1}{2}\%$ , \$34,000.00, at the end of 1950—\$14,818.97.

School Section No. 11—By-law 1400, 1948, 20 years,  $3\frac{1}{2}\%$ , \$87,000.00, at the end of 1950—\$81,000.00.

14. School rates collected by the Township during 1950 and earlier shall be paid as far as they are due to local School Sections before the end of 1950. Any balances on hand and unpaid at the first day of January, 1951, to any School Board in the annexed area shall be paid over to the Board of Education for the City of Oshawa. Local School Boards in the annexed area shall cease to exist on the first day of January, 1951, and all surpluses, if any, in the hands of such Boards shall belong to the Board of Education for the City of Oshawa and shall be paid over to that Board. All debts and liabilities of such Boards remaining unpaid at the first day of January, 1951, shall be the obligations of the Board of Education for the City of Oshawa. All contracts of employment with employees of Local School Boards shall be assumed by the Board of Education for the City of Oshawa.

15. The East Whitby High School District shall be adjusted to conform to the boundaries of the two municipalities as fixed by the Order of the Board and all necessary adjustments of payments shall be made accordingly. Any surplus or deficit in the operations for 1950 will be adjusted between the City and the Township on the same basis as current assets and liabilities.

16. It is further declared and agreed by and between the parties hereto that the Order of the Board together with this agreement is in-

tended to constitute the basis of settlement of all matters relating to annexation as defined by the Order of the Board, but that any matter properly the subject of adjustment between or among the said parties and not covered by the terms of the Order of the Board and of this agreement shall not by reason of such omission be deemed to have been waived by any of the municipalities or other parties affected but shall be the subject from time to time of further negotiation and adjustment on a fair and equitable basis between the said affected parties and failing agreement accordingly shall be determined by Order of the Board upon the application of any interested municipality or other party, and it is agreed that notwithstanding any Statutory provision to the contrary lapse of time shall not be a bar to any such negotiation and adjustment or application to the Board.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested by the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

(Seal)

(Seal)

THE CORPORATION OF THE CITY  
OF OSHAWA:

MICHAEL STARR  
F. E. HARE

THE CORPORATION OF THE TOWNSHIP  
OF EAST WHITBY:

WM. E. NOBLE  
D. F. WILSON

#### *Schedule A*

To agreement dated the 18th day of December, 1950,  
between the Corporation of the City of Oshawa and  
the Corporation of the Township of East Whitby.

ALL AND SINGULAR those certain parcels or tracts of lands and premises, situate, lying and being in the Township of East Whitby, in the County of Ontario, and being composed of parts of the Broken Front, First, Second, Third and Fourth Concessions in the said Township of East Whitby, and being more particularly described as follows: Commencing at a point where the easterly limit of Lot 10 in the Broken Front Concession of the Township of East Whitby meets the water's edge of Lake Ontario; thence northerly along the easterly limit of said Lot 10 in the Broken Front Concession two thousand nine hundred and eighty-four feet four inches to a point; thence south seventy-six degrees fifty-three minutes thirty seconds west ninety-seven feet seven inches to a point; thence north forty-two degrees thirty-six minutes thirty seconds west one hundred and seventy-seven feet eleven inches to a point; thence north eighty-seven degrees thirty-two minutes west one hundred and ten feet four inches to a point; thence north twenty-five degrees three minutes west two hundred and forty-seven feet five inches to a point; thence north six degrees eleven minutes west one hundred and eleven feet two inches to a point; thence north fifty-five degrees fifty-three minutes, thirty seconds west seventy-five feet two inches to a point; thence north thirty-four degrees thirty-five minutes thirty seconds west one hundred and eighty-eight feet nine inches to a point; thence north forty degrees seven minutes west one hundred and twenty-seven feet to a point in the southerly limit of Thomas Street; thence into and along Thomas Street in a westerly direction to its intersection with Cedar Street; thence northerly along Cedar Street to a point opposite the northerly limit of Lot 3 as marked on Registered Plan 180; thence westerly along the said northerly limit of said Lot 3 and its production westerly to the westerly limit of Reserve Block A on said Registered Plan; thence northerly along said westerly limit of said Reserve



Block A on said plan to Glen Street; thence northerly along Glen Street to the northerly limit thereof; thence northerly along the westerly limit of Lot C-30 according to Sheet 31 of the Municipal Plan of the City of Oshawa to the lands of the Canadian National Railway Company; thence westerly along the southerly limit of the Canadian National Railway Company's lands to Park Road; thence northerly along Park Road to the northerly extremity thereof at Gibbs Avenue; thence continuing northerly along the westerly limit of Lot C-2 according to Sheet 11 of the Municipal Plan of the City of Oshawa to the Concession Road between the Second and Third Concessions in the said Township of East Whitby, said Concession Road being now known as Rossland Road; thence easterly along Rossland Road to Wilson Road; thence southerly along Wilson Road to the Base Line Road, now known as Bloor Street; thence continuing southerly along the unopened allowance for road between Township Lot 6 in the Broken Front Concession of the Township of East Whitby and Township Lot 7 in the said Broken Front Concession now in the City of Oshawa to Harbour Road; thence in an easterly direction along Harbour Road to a road between Lots 5 and 6 in the Broken Front Concession known as Lyman Road; thence along Lyman Road to its southerly extremity; thence from a point at the south-easterly extremity of Lyman Road on a course south forty-three degrees twenty minutes forty-five seconds east seven hundred and fourteen feet three and one-half inches more or less to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the allowance for road between the Township of East Whitby and the Township of Darlington, being the boundary between the Counties of Ontario and Durham; thence northerly along the said road marking the County line to a point opposite the line dividing the north and south halves of Lot 1 in the Second Concession of the said Township of East Whitby; thence westerly along the line dividing the north and south halves of Lots 1, 2, 3, 4 and 5 in the said Second Concession of the Township of East Whitby to the westerly limit of said Lot 5; thence northerly along the line dividing Lots 5 and 6 in the said Second Concession of the Township of East Whitby to the northerly limit of the said Second Concession; thence continuing across the Concession Road between the Second and Third Concessions of the Township of East Whitby and along the line dividing Lots 5 and 6 in the Third Concession of the said Township of East Whitby to a point one thousand six hundred and fifty feet north of the said Concession Road between the said Second and Third Concessions; thence westerly parallel with the said Concession Road to and across the road dividing Lots 6 and 7 in the Third Concession of the Township of East Whitby to the line dividing Lots 7 and 8 in the said Third Concession; thence northerly along the line dividing said Lots 7 and 8 in the Third Concession to and across the road dividing the Third and Fourth Concessions in the said Township of East Whitby and continuing along the line dividing Lots 7 and 8 in the Fourth Concession to a point midway between the south and north limits of the said Fourth Concession; thence westerly on a line parallel with the Concession Road dividing the Third and Fourth Concessions to the easterly limit of the Township of Whitby; thence southerly along the easterly limit of the Township of Whitby to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the place of beginning.

## SCHEDULE C

ARTICLES OF AGREEMENT made in duplicate this 26th day of December, 1950.

BETWEEN:

THE CORPORATION OF THE CITY OF OSHAWA, herein-  
after called the City,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE TOWNSHIP OF EAST WHITBY,  
hereinafter called the Township,

OF THE SECOND PART.

WHEREAS upon the application of the City and the Township the Ontario Municipal Board has by its Order dated the 9th day of November, 1950, directed the annexation to the City of a portion of the Township of East Whitby more particularly described in Schedule A to the said Order of the Board.

AND WHEREAS by Articles of Agreement made the 18th day of December, 1950, pursuant to the Order of the Board provision was made for all such adjustments of assets and liabilities as are properly the subject of adjustment in such cases and for certain other matters arising out of the Order of the Board.

AND WHEREAS by reason of certain representations made by certain residents of the annexed area consideration has been given by the parties hereto to the further matters hereinafter set out and it has been agreed as follows:

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree to and with each other as follows:

1. For the purposes of this agreement the term "annexed area" shall mean the lands covered by the Order of annexation of the Ontario Municipal Board hereinbefore referred to; "Board" shall mean the Ontario Municipal Board; "Order of the Board" shall mean the Order of annexation hereinbefore referred to dated the 9th day of November, 1950; "agricultural lands" shall mean parcels of land in the annexed area of not less than two acres in area and used solely for agricultural purposes. Such lands shall cease to be agricultural lands within the meaning of this agreement when they are no longer used solely for agricultural purposes.
2. This agreement shall be construed as supplementary to the agreement hereinbefore referred to of the 18th day of December, 1950.
3. No local improvements shall hereafter be instituted or undertaken by the City so as to impose local improvement charges or rates upon any agricultural lands except under the provisions of Section 8 of *The Local Improvement Act*, being R.S.O. 1937, Chapter 269, and amendments thereto, or any similar provisions which may hereafter be enacted by the Legislature of the Province of Ontario to amend or replace said Section 8. Nothing in this agreement shall be construed to impair the right of property owners to petition for local improvements under the provisions of *The Local Improvement Act*, but notwithstanding any such petition the Council of the City will proceed following such petition in accordance with the provisions of said Section 8 or such similar substituted provisions.
4. Notwithstanding the terms of said Section 8 of *The Local Improvement Act* or any amended or substituted terms that may hereafter be en-

acted by the Legislature of the Province of Ontario, all owners according to the last revised assessment roll of the City of agricultural lands affected by any proposed local improvement undertaking shall be entitled to be notified by registered post prepaid of the intention of the City to proceed with such local improvement undertaking and such notice may be in the form prescribed by said Section 8 of *The Local Improvement Act* or similar form and shall be mailed not later than the day of the first publication of the said notice of intention in accordance with the terms of said Section 8.

5. The City shall forthwith make and prosecute an application to the next session of the Legislature of the Province of Ontario for a Private Act to amend the provisions of the Statutes of Ontario, 12-13 George V, Chapter 122, so as to provide:

(a) That Section 8 of *The Local Improvement Act* or such similar terms as may hereafter be enacted in lieu thereof by the Legislature of the Province of Ontario shall apply to the construction of all watermains hereafter undertaken under the terms of the said Act to the same extent as if such construction were undertaken as a local improvement.

(b) That an appeal shall lie to the Court of Revision in the same manner as in the case of local improvements and the Court of Revision shall have jurisdiction *mutatis mutandis* similar to the jurisdiction conferred upon it relating to local improvement assessments by *The Local Improvement Act* and in addition jurisdiction to exempt from the special rates imposed under the terms of 12-13 George V, Chapter 122, for a period not exceeding three years any agricultural lands which in the opinion of the Court should not be called upon to bear any part of the cost of such watermains, and provided further that the Court shall have power to renew such exemptions from time to time for like or shorter periods upon the application of any interested owner.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested by the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

(Seal)

(Seal)

THE CORPORATION OF THE CITY  
OF OSHAWA:

MICHAEL STARR  
F. E. HARE

THE CORPORATION OF THE TOWN-  
SHIP OF EAST WHITBY:

WM. E. NOBLE  
D. F. WILSON

## SCHEDULE D

ARTICLES OF AGREEMENT made in duplicate this 18th day of December, 1950.

BETWEEN:

THE CORPORATION OF THE CITY OF OSHAWA, herein-  
after called the City,

OF THE FIRST PART,

—and—

THE CORPORATION OF THE COUNTY OF ONTARIO,  
hereinafter called the County,

OF THE SECOND PART.

WHEREAS upon the application of the City and the Township of East Whitby the Ontario Municipal Board has by its Order dated the 9th day of November, 1950, directed the annexation to the City of that portion of the Township of East Whitby named in the said Order and hereinafter more particularly described in Schedule A to this agreement;

AND WHEREAS by the terms of the said Order it is provided that all such adjustments of assets and liabilities as are properly the subject of adjustment between the affected municipalities shall be made as such municipalities may agree among themselves, or in default of such agreement as the Board may order;

AND WHEREAS it has been agreed by and between the parties hereto as hereinafter set out;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto mutually covenant and agree to and with each other as follows:

1. For the purposes of this agreement the term "annexed area" shall mean the lands covered by the Order of annexation of the Ontario Municipal Board hereinbefore referred to and more particularly described in Schedule A to this agreement; "Board" shall mean the Ontario Municipal Board; "Order of the Board" shall mean the Order of annexation hereinbefore referred to dated the 9th day of November, 1950; "Township" shall mean the Township of East Whitby.

2. Any surplus funds on hand with the County in any of the following accounts, namely: County Home Account, General Account, County Road Account and Suburban Road Account, as shown by the books of the County at December 31st, 1950, shall be paid by the County to the City in the same proportion as the 1950 equalized assessment of the annexed area bears to the 1950 equalized assessment of the County. Against such indebtedness of the County to the City shall be set and deducted any deficit in any of the foregoing accounts as shown by the books of the County at December 31st, 1950, and in the event of such deficit exceeding the surplus funds on hand in all of the said accounts then the City shall pay the amount of such deficit to the County in the same proportion as the 1950 equalized assessment of the annexed area bears to the 1950 equalized assessment of the County. For the purposes of this agreement the Suburban Road Account shall be deemed to be one-half of the total account in the hands of the County for suburban road purposes, the other half being in the amount supplied by the City in respect of its half interest in such suburban roads.

3. The debenture indebtedness, including principal and interest, of the County as outstanding and unpaid on December 31st, 1950 (excluding any debentures issued by the County during 1950), shall be borne and paid by the City in the same proportion as the 1950 equalized assessment of the annexed area bears to the 1950 equalized assessment of the County, and such payments shall be made by the City to the County from time to time as required to meet such debenture indebtedness as it falls due.

4. Notwithstanding the foregoing the City shall not be liable to bear any portion of any debenture debt of the County relating to debentures issued during the year 1950.

5. For the purpose of making the computations necessary by reason of this agreement and of the Order of the Board the County shall compute the amount of the equalized assessment of the County upon which County taxes were levied in the years 1926 to 1950 inclusive, both with and without the annexed area. For the purposes of this agreement, where the term "equalized assessment" is used with reference to any year or term of years it shall mean equalized assessments upon which County rates were levied during such year or term of years.

6. For the purposes of accounting between the City and the County the valuation of the lands and buildings of the Home for the Aged for the County of Ontario shall be \$51,708.96 less the amount of the selling price of any lands and buildings which shall have been sold before the 31st day of December, 1950.

7. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance of wards of any Children's Aid Society the charges for whose maintenance are payable by the County and which charges were imposed upon the County by reason of residence in the annexed area or by reason of the ward having been taken into custody in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such wards admitted on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

8. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance of indigent patients in any public hospital covering hospital treatment from and after the first day of January, 1951, the charges for whose maintenance are payable by the County and which charges were imposed on the County by reason of residence in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such indigent patients admitted on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

9. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance of residents of the Home for the Aged for the County of Ontario from and after the first day of January, 1951, the charges for whose maintenance are payable by the County and which charges were imposed on the County by reason of residence in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such residents of the Home for the Aged for the County of Ontario admitted on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

10. The City shall contribute to the County from time to time, upon demand made by the County with particulars of such liability, the cost of maintenance or other proper charges under *The Training Schools Act, 1939*, for any boy or girl committed to a Training School within the meaning of the said Act, from and after the first day of January, 1951, the charges

for whose maintenance are payable by the County and which charges were imposed on the County by reason of residence in the annexed area, and from and after the first day of January, 1951, the City shall assume and discharge any liability for the cost of maintenance of any such boy or girl committed to a Training School within the meaning of the said Act on or after that date whose residences are traceable to the annexed area. In cases where the residence giving rise to liability of the County is partly residence within the annexed area and partly residence within the other parts of the County, then the liability shall be shared between the City and the County according to the proportionate periods of residence in each area.

11. Any valuations necessary for the purposes of this agreement and in order to compute the balances payable under the terms of paragraphs 12, 13, 14 and 15 hereof shall be as may be agreed upon by the representatives chosen for the purpose by the City and the County and in default of any such agreement shall be fixed by the Board.

12. The County shall pay to the City a sum of money representing the proportionate interest of the annexed area in the following property of the County, namely:

- (a) Road machinery and equipment;
- (b) Gravel pits;
- (c) County garage and warehouses;
- (d) Furnishings of the Home for the Aged for the County of Ontario;
- (e) Farm machinery and equipment of the Home for the Aged for the County of Ontario.

The proportionate interest shall be computed as being that portion of the value of the said assets that bears the same relation to their total value as the average equalized assessment of the annexed area for the period of ten years last preceding the 31st day of December, 1950, bears to the average equalized assessment of the County for the same period.

13. The County shall pay to the City a sum of money representing the proportionate interest of the annexed area in the livestock and feeds on hand at the 31st day of December, 1950, at the farm of the Home for the Aged for the County of Ontario, such proportionate interest to be computed as being that portion of the value of the said assets that bears the same relation to their total value as the average equalized assessment of the annexed area for the year 1950 bears to the average equalized assessment of the County for the same period.

14. The County shall pay to the City a sum of money representing the proportionate interest of the annexed area in the furnishings of the offices of the Assessor, the Clerk-Treasurer and the County Engineer and in the furnishings of the Council Chambers of the County Buildings and in the lands and in the buildings of the Home for the Aged for the County, such proportionate interest to be computed as being that portion of the value of the said assets that bears the same relation to their total value as the average equalized assessment of the annexed area for the period of twenty-five years last preceding the 31st day of December, 1950, bears to the average equalized assessment of the County for the same period.

15. The valuation for the purposes of this agreement of land, buildings, machinery and equipment pertaining to the Road Department of the County shall be taken to be fifty per cent of the actual value as determined by the representatives of both municipalities or otherwise under the terms of this agreement, the other fifty per cent being represented by the sums invested in such property and equipment provided in the form of subsidies of the Department of Highways of the Province of Ontario.

16. The interest of the City in common with the County in the County Buildings, including the County Jail, County Registry Office, Court House and County Offices and the sites thereof, shall be increased

by a proportion or share computed as being that portion of the value of the said assets that bears the same relation to  $87\frac{1}{2}\%$  of their total value as the average equalized assessment of the annexed area for the period of twenty-five years last preceding the 31st day of December, 1950, bears to the average equalized assessment of the County for the same period. Such additional proportion or value shall be calculated upon  $87\frac{1}{2}\%$  of the total value of the said lands and buildings immediately prior to the Order of the Board. This paragraph shall not be construed as an admission of any property interest of the City in the said lands and buildings.

17. For the purposes of this agreement the valuation of the lands and buildings of the Children's Shelter of the County of Ontario and the City of Oshawa is fixed at the sum of \$34,450.00, the said lands and buildings having been the property in equal shares of the City and the County. It is, therefore, agreed that the interest of the annexed area in the said Children's Shelter is represented by the sum of \$1,348.20, which is computed as the same proportion of the value of one-half of the said lands and buildings as the average equalized assessment of the annexed area for the last thirteen years bears to the average equalized assessment of the County for last thirteen years. The County, therefore, agrees to pay to the City the said sum of \$1,348.20 in full satisfaction of the interest of the annexed area in the said lands and buildings so that the ownership of the said lands and buildings shall remain vested in equal shares in the City and the County.

18. Any payments to be made to the City by the County under the provisions of paragraphs 2, 12, 13, 14 and 17 shall be paid not later than the 31st day of December, 1951.

19. It is further declared and agreed by and between the parties hereto that the Order of the Board together with this agreement is intended to constitute the basis of settlement of all matters relating to annexation as defined by the Order of the Board, but that any matter properly the subject of adjustment between or among the said parties and not covered by the terms of the Order of the Board and of this agreement shall not by reason of such omission be deemed to have been waived by any of the municipalities or other parties affected but shall be the subject from time to time of further negotiation and adjustment on a fair and equitable basis between the said affected parties and failing agreement accordingly shall be determined by Order of the Board upon the application of any interested municipality or other party, and it is agreed that notwithstanding any Statutory provision to the contrary lapse of time shall not be a bar to any such negotiation and adjustment or application to the Board.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested by the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of

(Seal)

(Seal)

THE CORPORATION OF THE CITY  
OF OSHAWA:

MICHAEL STARR  
F. E. HARE

THE CORPORATION OF THE COUNTY  
OF ONTARIO:

RAE M. FERGUSON  
WM. S. MANNING

*Schedule A*

To agreement dated the 18th day of December, 1950,  
between the Corporation of the City of Oshawa and the  
Corporation of the County of Ontario.

ALL AND SINGULAR those certain parcels or tracts of lands and premises, situate, lying and being in the Township of East Whitby, in

the County of Ontario, and being composed of parts of the Broken Front, First, Second, Third and Fourth Concessions in the said Township of East Whitby, and being more particularly described as follows: Commencing at a point where the easterly limit of Lot 10 in the Broken Front Concession of the Township of East Whitby meets the water's edge of Lake Ontario; thence northerly along the easterly limit of said Lot 10 in the Broken Front Concession two thousand nine hundred and eighty-four feet four inches to a point; thence south seventy-six degrees fifty-three minutes thirty seconds west ninety-seven feet seven inches to a point; thence north forty-two degrees thirty-six minutes thirty seconds west one hundred and seventy-seven feet eleven inches to a point; thence north eighty-seven degrees thirty-two minutes west one hundred and ten feet four inches to a point; thence north twenty-five degrees three minutes west two hundred and forty-seven feet five inches to a point; thence north six degrees eleven minutes west one hundred and eleven feet two inches to a point; thence north fifty-five degrees fifty-three minutes, thirty seconds west seventy-five feet two inches to a point; thence north thirty-four degrees thirty-five minutes thirty seconds west one hundred and eighty-eight feet nine inches to a point; thence north forty degrees seven minutes west one hundred and twenty-seven feet to a point in the southerly limit of Thomas Street; thence into and along Thomas Street in a westerly direction to its intersection with Cedar Street; thence northerly along Cedar Street to a point opposite the northerly limit of Lot 3 as marked on Registered Plan 180; thence westerly along the said northerly limit of said Lot 3 and its production westerly to the westerly limit of Reserve Block A on said Registered Plan; thence northerly along said westerly limit of said Reserve Block A on said plan to Glen Street; thence northerly along Glen Street to the northerly limit thereof; thence northerly along the westerly limit of Lot C-30 according to Sheet 31 of the Municipal Plan of the City of Oshawa to the lands of the Canadian National Railway Company; thence westerly along the southerly limit of the Canadian National Railway Company's lands to Park Road; thence northerly along Park Road to the northerly extremity thereof at Gibbs Avenue; thence continuing northerly along the westerly limit of Lot C-2 according to Sheet 11 of the Municipal Plan of the City of Oshawa to the Concession Road between the Second and Third Concessions in the said Township of East Whitby, said Concession Road being now known as Rossland Road; thence easterly along Rossland Road to Wilson Road; thence southerly along Wilson Road to the Base Line Road, now known as Bloor Street; thence continuing southerly along the unopened allowance for road between Township Lot 6 in the Broken Front Concession of the Township of East Whitby and Township Lot 7 in the said Broken Front Concession now in the City of Oshawa to Harbour Road; thence in an easterly direction along Harbour Road to a road between Lots 5 and 6 in the Broken Front Concession known as Lyman Road; thence along Lyman Road to its southerly extremity; thence from a point at the south-easterly extremity of Lyman Road on a course south forty-three degrees twenty minutes forty-five seconds east seven hundred and fourteen feet three and one-half inches more or less to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the allowance for road between the Township of East Whitby and the Township of Darlington, being the boundary between the Counties of Ontario and Durham; thence northerly along the said road marking the County line to a point opposite the line dividing the north and south halves of Lot 1 in the Second Concession of the said Township of East Whitby; thence westerly along the line dividing the north and south halves of Lots 1, 2, 3, 4 and 5 in the said Second Concession of the Township of East Whitby to the westerly limit of said Lot 5; thence northerly along the line dividing Lots 5 and 6 in the said Second Concession of the Township of East Whitby to the northerly limit of the said Second Concession; thence continuing across the Concession Road between the Second and Third Concessions of the Township of East Whitby and along the line dividing Lots 5 and 6 in the Third Concession of the said Township of East Whitby to a point one thousand six hundred and fifty feet north of the said Concession Road between the said Second and Third Concessions; thence westerly parallel with the said Concession Road to and across the road dividing Lots 6 and 7 in the Third Concession of the Township of East Whitby to the line dividing Lots 7 and 8 in the said Third Concession; thence northerly along the line dividing said Lots 7 and 8 in the Third Concession to and across the road



dividing the Third and Fourth Concessions in the said Township of East Whitby and continuing along the line dividing Lots 7 and 8 in the Fourth Concession to a point midway between the south and north limits of the said Fourth Concession; thence westerly on a line parallel with the Concession Road dividing the Third and Fourth Concessions to the easterly limit of the Township of Whitby; thence southerly along the easterly limit of the Township of Whitby to the water's edge of Lake Ontario; thence in an easterly direction along the water's edge of Lake Ontario to the place of beginning.

An Act respecting the City of Oshawa

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*1st Reading*

February 13th, 1951

*2nd Reading*

March 2nd, 1951

*3rd Reading*

March 6th, 1951

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MR. THOMAS (Ontario)

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1951

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No. 27

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Toronto

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MR. BLACKWELL

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

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# BILL

## An Act respecting the City of Toronto

**W**HEREAS the Corporation of the City of Toronto by Preamble.  
its petition has prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may renew for a period of five years from the 1st day of January, 1950, an agreement dated the 5th day of December, 1947, made pursuant to the authority contained in *The City of Toronto Act* (No. 1), 1946, with the Toronto Convention and Tourist Association, Inc. to provide for the payment to the Association of an annual grant not exceeding \$12,500 in any year. Authority to renew agreement with Toronto Convention and Tourist Association. 1946, c. 141.

(2) In addition to the grant authorized by subsection 1, the said council may out of the current revenues of the city for the year 1951 make a further grant not exceeding \$5,000 for the maintenance of such Association. Further grant not exceeding \$5,000 for 1951 authorized.

2.—(1) The council of the Corporation may make an annual grant of an amount not exceeding \$50,000 out of the current revenues of the city to The Art Gallery of Toronto for the maintenance and upkeep of the art gallery. Annual grant of \$50,000 to Art Gallery.

(2) The said council and The Art Gallery of Toronto may enter into an agreement to amend the agreement already existing between them, which agreement is set forth as Schedule A to *An Act respecting the City of Toronto*, being chapter 119 of the Statutes of Ontario, 1911, so as to provide for the annual payment of an amount as provided in subsection 1 instead of the annual payment of \$30,000 set forth in the said existing agreement as amended pursuant to the authority contained in *An Act respecting the City of Toronto*, being chapter 134 of the Statutes of Ontario, 1927. Amendment of agreement authorized.

1920,  
c. 144, s. 5,  
amended.

**3.** Section 5 of *An Act respecting the City of Toronto*, being chapter 144 of the Statutes of Ontario, 1920, is amended by adding thereto the following subsections:

Retiring  
allowances  
for members  
of T.T.C.  
authorized.

- (2) Such remuneration may include the payment of annual allowances to former members of the Commission, to commence immediately after their ceasing to hold office, of amounts not exceeding \$3,000 per annum for persons who have been members for at least ten consecutive years and who have attained the age of 60 years, and of amounts not exceeding \$4,000 per annum for persons who have been members for at least fifteen consecutive years and who have attained the age of 60 years, provided the payment of such annual allowances may be on such terms and conditions as to contribution and other relative matters as may be set out in the by-law of the council.

Application  
of section.

- (3) Subsection 2 shall apply to persons who were members of the said Commission on the 1st day of January, 1951, or who become members thereafter.

Payment of  
salary or  
other  
remunera-  
tion by  
T.T.C.

- (4) The salary, annual allowance or other remuneration of a member or former member of the said Commission shall be paid by the Commission out of its current revenues.

Retiring  
allowances  
authorized.

**4.** The council of the Corporation may grant to any officer thereof, on his ceasing to hold office, an annual allowance, during the remaining years of his life or for such period as council may from time to time determine, not exceeding three-fifths of his average annual salary for the next preceding three years of his service, upon such terms and conditions as the council may provide.

Commence-  
ment.

**5.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**6.** This Act may be cited as *The City of Toronto Act, 1951*.

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BILL

An Act respecting the City of Toronto

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*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. BLACKWELL

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(*Private Bill*)

No. 27

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Toronto

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MR. BLACKWELL

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*(Reprinted as amended by the Committee on Private Bills)*

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

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# BILL

## An Act respecting the City of Toronto

**W**HEREAS the Corporation of the City of Toronto by Preamble.  
its petition has prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.**—(1) The council of the Corporation may renew for a Authority to  
period of five years from the 1st day of January, 1950, an renew  
agreement dated the 5th day of December, 1947, made pur agreement  
suant to the authority contained in *The City of Toronto Act* with Toronto  
(*No. 1*), 1946, with the Toronto Convention and Tourist Convention  
Association, Inc. to provide for the payment to the Association and Tourist  
of an annual grant not exceeding \$12,500 in any year. Association.  
1946, c. 141.

(2) In addition to the grant authorized by subsection 1, Further  
the said council may out of the current revenues of the city grant not  
for the year 1951 make a further grant not exceeding \$5,000 exceeding  
for the maintenance of such Association. 1951  
authorized.

**2.**—(1) The council of the Corporation may make an Annual grant  
annual grant of an amount not exceeding \$50,000 out of the of \$50,000  
current revenues of the city to The Art Gallery of Toronto to Art  
for the maintenance and upkeep of the art gallery. Gallery.

(2) The said council and The Art Gallery of Toronto may Amendment  
enter into an agreement to amend the agreement already of agreement  
existing between them, which agreement is set forth as authorized.  
Schedule A to *An Act respecting the City of Toronto*, being  
chapter 119 of the Statutes of Ontario, 1911, so as to provide  
for the annual payment of an amount as provided in sub-  
section 1 instead of the annual payment of \$30,000 set forth  
in the said existing agreement as amended pursuant to the  
authority contained in *An Act respecting the City of Toronto*,  
being chapter 134 of the Statutes of Ontario, 1927.

1920,  
c. 144, s. 5,  
amended.

3. Section 5 of *An Act respecting the City of Toronto*, being chapter 144 of the Statutes of Ontario, 1920, is amended by adding thereto the following subsections:

Retiring  
allowances  
for members  
of T.T.C.  
authorized.

- (2) Such remuneration may include the payment of annual allowances to former members of the Commission of amounts not exceeding \$4,000 per annum for persons who have been members for at least fifteen consecutive years and who have attained the age of 60 years, provided the payment of such annual allowances may be on such terms and conditions as may be set out in the by-law of the council.

Applica-  
tion of  
subs. 2.

- (3) Subsection 2 shall apply only to persons who were members of the Commission on the 1st day of January, 1951.

Payment of  
salary or  
other remuneration by  
T.T.C.

- (4) The salary, annual allowance or other remuneration of a member or former member of the said Commission shall be paid by the Commission out of its current revenues.

Retirement  
allowances  
to officers  
of the Cor-  
poration.  
Rev. Stat.,  
c. 243.

4. The limitation of \$2,500 prescribed in subsection 1 of section 257 of *The Municipal Act* which authorizes councils to grant annual retirement allowances shall not apply to the granting of such allowances to officers of the Corporation of the City of Toronto.

Commence-  
ment.

5. This Act shall come into force on the day it receives the Royal Assent.

Short title.

6. This Act may be cited as *The City of Toronto Act, 1951*.

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BILL

An Act respecting the City of Toronto

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*1st Reading*

February 13th, 1951

*2nd Reading*

*3rd Reading*

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MR. BLACKWELL

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*(Reprinted as amended by the Committee on  
Private Bills)*

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of Toronto

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MR. BLACKWELL

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TORONTO

PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act respecting the City of Toronto

**W**HEREAS the Corporation of the City of Toronto by Preamble.  
its petition has prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may renew for a period of five years from the 1st day of January, 1950, an agreement dated the 5th day of December, 1947, made pursuant to the authority contained in *The City of Toronto Act* (No. 1), 1946, with the Toronto Convention and Tourist Association, Inc. to provide for the payment to the Association of an annual grant not exceeding \$12,500 in any year. Authority to renew agreement with Toronto Convention and Tourist Association. 1946, c. 141.

(2) In addition to the grant authorized by subsection 1, the said council may out of the current revenues of the city for the year 1951 make a further grant not exceeding \$5,000 for the maintenance of such Association. Further grant not exceeding \$5,000 for 1951 authorized.

2.—(1) The council of the Corporation may make an annual grant of an amount not exceeding \$50,000 out of the current revenues of the city to The Art Gallery of Toronto for the maintenance and upkeep of the art gallery. Annual grant of \$50,000 to Art Gallery.

(2) The said council and The Art Gallery of Toronto may enter into an agreement to amend the agreement already existing between them, which agreement is set forth as Schedule A to *An Act respecting the City of Toronto*, being chapter 119 of the Statutes of Ontario, 1911, so as to provide for the annual payment of an amount as provided in subsection 1 instead of the annual payment of \$30,000 set forth in the said existing agreement as amended pursuant to the authority contained in *An Act respecting the City of Toronto*, being chapter 134 of the Statutes of Ontario, 1927. Amendment of agreement authorized.

Retirement  
allowances  
to officers  
of the Cor-  
poration,  
Rev. Stat.,  
c. 243.

3. The limitation of \$2,500 prescribed in subsection 1 of section 257 of *The Municipal Act* which authorizes councils to grant annual retirement allowances shall not apply to the granting of such allowances to officers of the Corporation of the City of Toronto.

Commence-  
ment.

4. This Act shall come into force on the day it receives the Royal Assent.

Short title.

5. This Act may be cited as *The City of Toronto Act, 1951*.

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BILL

An Act respecting the City of Toronto

*1st Reading*

February 13th, 1951

*2nd Reading*

March 28th, 1951

*3rd Reading*

April 2nd, 1951

MR. BLACKWELL

1951

No. 28

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the Brockville General Hospital

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MR. REYNOLDS

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act respecting the Brockville General Hospital

**W**HEREAS the Brockville General Hospital by its <sup>Preamble.</sup> petition has represented that it was incorporated in 1885 under *An Act respecting Benevolent, Provident and other Societies*, being chapter 167 of the Revised Statutes of Ontario, 1877; that the records in connection with the incorporation have been lost and there is now no documentary evidence of its incorporation; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Brockville General Hospital, hereinafter called the Corporation, shall be deemed to have been properly incor- <sup>Incorporation confirmed.</sup> porated as a body corporate and politic in 1885 under the said *An Act respecting Benevolent, Provident and other Societies* and to have continued and shall continue as a body corporate and politic.

2. The Corporation shall be subject to *The Companies Act* <sup>Application of Rev. Stat., c. 59.</sup> as if it had been incorporated under that Act, and the purposes of the Corporation shall be as follows:

- (a) To establish and maintain and operate a hospital <sup>Purposes of Corporation.</sup> or hospitals in the Town of Brockville in the County of Leeds or elsewhere in the County of Leeds.
- (b) To take and accept all gifts, legacies and bequests of money or other personalty and to acquire, hold and possess by gift, devise, bequest, purchase or otherwise, lands, tenements or hereditaments and interests therein for the use, support or purpose of the Corporation, and all persons and bodies corporate

shall have the full and unrestricted right to give, grant, devise and bequeath to the Corporation any land or interest in land or any goods, chattels and effects, but nothing herein shall authorize the Corporation to engage in the business of trading in real estate.

- (c) To establish, maintain and conduct a dispensary.
- (d) To establish, maintain and conduct a training school for nurses.
- (e) To establish, maintain and conduct nursing residences.
- (f) To borrow money upon the credit of the Corporation by way of overdraft on any bank or banks or otherwise, and to issue bonds, debentures or other securities of the Corporation for such sums as the Corporation may determine and at such rate of interest and for such periods as the Corporation may deem expedient, and to pledge or sell the same for such sums and at such prices as may be deemed expedient, and to hypothecate, mortgage or pledge the real or personal property of the Corporation, or both, to secure such bonds, debentures or other securities and any moneys borrowed for the purposes of the Corporation.
- (g) To invest the moneys of the Corporation not immediately required for the purposes of the Corporation in any securities in which, under *The Trustee Act* or any other Act, trustees may invest trust funds.
- (h) To do any or all of the above things as principals, agents, contractors, trustees or otherwise and by or through agents, or otherwise, and either alone or in conjunction with others.
- (i) To do all such things as are incidental or conducive to the attainment of the above objects or any of them.

Rev. Stat.,  
c. 400.

Interest of  
members not  
transferable.

**3.** The interest of a member in the Corporation shall not be transferable, and shall lapse and cease to exist upon the death of such member or when such member ceases to be a member by resignation or otherwise in accordance with the by-laws and regulations from time to time in force.

Committee  
of manage-  
ment.

**4.** The directors of the Corporation shall constitute the committee of management of the Corporation.

5. The directors may from time to time make by-laws<sup>By-laws and regulations.</sup> and regulations, not contrary to law or any provision of the letters patent, supplementary letters patent, if any, or *The Companies Act*, and, from time to time, amend, vary or repeal the same, respecting:

- (a) The admission of members and the election or appointment of directors, trustees and officers.
- (b) The time and place of holding and the calling of meetings of members, trustees and directors and the requirements as to proxies and the procedure at and the conduct of such meetings.
- (c) The payment of officers and employees.
- (d) The control, management and conduct of the affairs of the Corporation.

6. Every by-law and regulation and every repeal, amend-<sup>Confirmation of by-laws, etc.</sup>ment, modification or variation thereof, unless in the meantime confirmed at a general meeting duly called for that purpose, shall have force only until the next annual meeting of the Corporation, and in default of confirmation thereat shall from that time cease to have force and in that case no new by-law or regulation to the same or the like effect or re-enactment thereof shall have any force until confirmed at a general meeting of the Corporation.

7. Such by-laws, regulations, amendments, modifications and variations shall replace, exclude and modify the regulations set out in Form 4 to *The Companies Act*, save that in any matters covered by Form 4 and not provided for in the Corporation's by-laws and regulations, the regulations and provisions of Form 4 shall apply and be in force but all such matters which after the passing of the Corporation's by-laws and regulations may be left to be governed by Form 4, may be varied, amended or modified by any by-laws or regulations.<sup>Application of Rev. Stat., c. 59, Form 4.</sup>

8. This Act shall come into force on the day it receives the<sup>Commencement.</sup> Royal Assent.

9. This Act may be cited as *The Brockville General Hospital*<sup>Short title.</sup> Act, 1951.





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BILL

An Act respecting the Brockville  
General Hospital

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*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. REYNOLDS

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(*Private Bill*)

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the Brockville General Hospital

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MR. REYNOLDS

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shall have the full and unrestricted right to give, grant, devise and bequeath to the Corporation any land or interest in land or any goods, chattels and effects, but nothing herein shall authorize the Corporation to engage in the business of trading in real estate.

- (c) To establish, maintain and conduct a dispensary.
- (d) To establish, maintain and conduct a training school for nurses.
- (e) To establish, maintain and conduct nursing residences.
- (f) To borrow money upon the credit of the Corporation by way of overdraft on any bank or banks or otherwise, and to issue bonds, debentures or other securities of the Corporation for such sums as the Corporation may determine and at such rate of interest and for such periods as the Corporation may deem expedient, and to pledge or sell the same for such sums and at such prices as may be deemed expedient, and to hypothecate, mortgage or pledge the real or personal property of the Corporation, or both, to secure such bonds, debentures or other securities and any moneys borrowed for the purposes of the Corporation.
- (g) To invest the moneys of the Corporation not immediately required for the purposes of the Corporation in any securities in which, under *The Trustee Act* or any other Act, trustees may invest trust funds.
- (h) To do any or all of the above things as principals, agents, contractors, trustees or otherwise and by or through agents, or otherwise, and either alone or in conjunction with others.
- (i) To do all such things as are incidental or conducive to the attainment of the above objects or any of them.

Rev. Stat.,  
c. 400.

Interest of  
members not  
transferable.

3. The interest of a member in the Corporation shall not be transferable, and shall lapse and cease to exist upon the death of such member or when such member ceases to be a member by resignation or otherwise in accordance with the by-laws and regulations from time to time in force.

Committee  
of manage-  
ment.

4. The directors of the Corporation shall constitute the committee of management of the Corporation.

**5.** The directors may from time to time make by-laws <sup>By-laws and regulations.</sup> and regulations, not contrary to law or any provision of the letters patent, supplementary letters patent, if any, or *The Companies Act*, and, from time to time, amend, vary or repeal the same, respecting:

- (a) The admission of members and the election or appointment of directors, trustees and officers.
- (b) The time and place of holding and the calling of meetings of members, trustees and directors and the requirements as to proxies and the procedure at and the conduct of such meetings.
- (c) The payment of officers and employees.
- (d) The control, management and conduct of the affairs of the Corporation.

**6.** Every by-law and regulation and every repeal, amendment, modification or variation thereof, unless in the mean- <sup>Confirmation of by-laws, etc.</sup> time confirmed at a general meeting duly called for that purpose, shall have force only until the next annual meeting of the Corporation, and in default of confirmation thereat shall from that time cease to have force and in that case no new by-law or regulation to the same or the like effect or re-enactment thereof shall have any force until confirmed at a general meeting of the Corporation.

**7.** Such by-laws, regulations, amendments, modifications and variations shall replace, exclude and modify the regulations set out in Form 4 to *The Companies Act*, save that in any matters covered by Form 4 and not provided for in the Corporation's by-laws and regulations, the regulations and provisions of Form 4 shall apply and be in force but all such matters which after the passing of the Corporation's by-laws and regulations may be left to be governed by Form 4, may be varied, amended, excluded or modified by any by-laws or regulations. <sup>Application of Rev. Stat., c. 59, Form 4.</sup>

**8.** This Act shall come into force on the day it receives the <sup>Commencement.</sup> Royal Assent.

**9.** This Act may be cited as *The Brockville General Hospital Act, 1951.* <sup>Short title.</sup>



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## BILL

An Act respecting the Brockville  
General Hospital

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 16th, 1951

*3rd Reading*

February 20th, 1951

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MR. REYNOLDS

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1951

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No. 29

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to incorporate The Greater Niagara General Hospital**

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MR. HOUCK

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act to incorporate The Greater Niagara General Hospital

**W**HEREAS the Greater Niagara General Hospital Trust <sup>Preamble.</sup> by its petition has represented that the Trust was incorporated by *The Niagara Falls General Hospital Trust Act, 1933*, as amended by *The Greater Niagara General Hospital Trust Act, 1948*, and that it is desirable to repeal the said Acts, to create a corporation under the name of "The Greater Niagara General Hospital", to provide for the method of selection of the governing body of the corporation, to set out the objects and purposes of the corporation and to define its powers, to vest all properties real and personal and the undertaking and assets owned, held, possessed or enjoyed by the Greater Niagara General Hospital Trust, subject to all obligations, debts, mortgages, charges and liabilities in any way affecting the same or any part thereof or in any way due or owing by or from the said existing Trust, in The Greater Niagara General Hospital; and whereas the petitioner has prayed that an Act be passed for such purposes; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Arthur Stuart Robertson, John Patrick Matthews, Theodore Smith, James Barr, Aubrey Wray, Laura Teckoe, Ruth Grieves, Bertha Fielding, Albert Frank, William Donald Bracken, Henry Arnold Haigh, Ernest Myron Hawkins, Arthur G. Bridge, George Bukator and Richard Street Duggan, being all the present Trustees of the Greater Niagara General Hospital Trust, are hereby constituted and shall be a corporation under the name of "The Greater Niagara General Hospital", herein called the corporation, for the purposes and with the powers herein mentioned.

2. Within seven days after the day this Act comes into force, the persons hereinbefore named shall hold a meeting <sup>First meeting.</sup>

at which the persons selected in the manner set forth in section 3 shall be installed as successors to the hereinbefore-named persons who shall thereupon resign.

Constitution  
of  
corporation.

**3.** The persons constituting the corporation shall be the following: one representative from each of the municipal councils of the City of Niagara Falls, the Village of Chippawa, the Township of Stamford and the County of Welland, such representatives to be members of their respective councils; one representative of the Province of Ontario; one representative of the Hospital Medical Staff; one representative of the Women's Hospital Auxiliary; nine members elected by The Greater Niagara General Hospital Association; three members appointed by those members already selected as provided by this section.

Terms of  
office.

**4.** The terms of office of these members shall be as follows:

- (a) The representatives of the said municipal councils, the Province of Ontario, the Hospital Medical Staff and the Women's Hospital Auxiliary shall hold office for a term of one year.
- (b) Of the nine members first elected by The Greater Niagara General Hospital Association, the three persons receiving the greatest number of votes shall hold office for a term of three years, the three persons receiving the next greatest number of votes shall hold office for a term of two years, and the remaining three persons shall hold office for a term of one year, at which time and annually thereafter, three members shall be elected to hold office for a term of three years. No such member shall hold office for more than two consecutive terms of three years each, provided that such a member may be re-elected after a lapse of one year.
- (c) The three members appointed by those members otherwise chosen shall hold office for a term of three years.

Board of  
Governors.

**5.** The persons elected and appointed as above set forth and their successors shall constitute the Board of Governors of the corporation, hereinafter called the board.

Vacancies.

**6.** Upon a vacancy occurring by death, resignation or otherwise in the office of any of the board, other than those appointed by the four municipal councils, the Province of Ontario, the Hospital Medical Staff and the Women's Hospital Auxiliary, his successor shall be appointed by the board.

7. The board may, by resolution passed by a two-thirds <sup>Idem.</sup> vote of the members present at a meeting duly called for that purpose, declare the seat of any member, other than those members appointed by the four municipal councils, the Province of Ontario, the Hospital Medical Staff and the Women's Hospital Auxiliary, to be vacant.

8.—(1) The membership of The Greater Niagara General Hospital Association shall be composed of such clubs, lodges or other bodies as purchase a club membership in the said Association together with such individual members who purchase an individual membership in the said Association, the cost of such membership to be set by the board. <sup>Members of Association.</sup>

(2) Each of such memberships shall have one vote but only <sup>Voting.</sup> the holder of an individual membership shall be eligible for election to the board.

9. The board shall appoint annually, and at its first meeting <sup>Officers.</sup> in each year, one of its number to be president, who shall hold office for one year and until his successor is appointed, and may, from time to time, appoint one of its number to be vice-president, who shall, in the absence of the president, or in case his office is vacant, act in his place, and may also appoint one of its number to be secretary-treasurer.

10. The services of the members of the board shall be <sup>Remuneration.</sup> given without remuneration, except for actual disbursements incurred in the affairs of the corporation and approved by the board.

11.—(1) All real and personal properties and the under- <sup>Vesting of assets, etc., in corporation.</sup> taking and assets owned, held, possessed or enjoyed by the said existing Greater Niagara General Hospital Trust, including the lands described in the Schedule to this Act, are hereby vested in the corporation for its purposes, without the necessity of any other grant, conveyance, transfer, assignment, or vesting thereof, but subject to the provisions of this Act and all obligations, debts, mortgages, charges and liabilities in any way affecting the same or any part thereof or in any way due or owing by or from the said existing Trust as now in operation or constituted.

(2) All trusts, gifts, devises and bequests hereafter made to <sup>Future gifts, etc.</sup> or in favour of or intended for Greater Niagara General Hospital Trust shall be held and enjoyed by the corporation.

12. The corporation shall have full power to continue and <sup>Powers to carry on hospitals.</sup> carry on the hospital now established and being carried on upon the lands mentioned in the Schedule hereto and to carry on other hospitals and other similar institutions and under-

takings and to do all things necessary, incidental or usual thereto, or in connection therewith, and to acquire any land for such purposes.

Purposes of  
corporation.

**13.** The purposes of the corporation, so far as it may be possible, shall be to carry on the said hospital and all other hospitals, sanatoria or other similar institutions which it may establish, undertake or carry on in perpetuity for the benefit and advantage of the inhabitants of the City of Niagara Falls, the Township of Stamford and the Village of Chippawa.

Donations  
and gifts to  
corporation.

**14.** For the purposes of the corporation, the board may in its discretion, receive or take in the name of the corporation, from any person or body corporate, by grant, gift, devise or otherwise, any land or interest in land or any goods, chattels or effects for the use, support or purposes of the corporation, and without licence in mortmain, and in their discretion may sell or dispose of same.

Sale of  
property of  
corporation.

**15.** The board may, from time to time, sell and dispose of any of the real and personal properties of the corporation which no longer may be necessary for its purposes; provided that the proceeds derived from any such sale or disposal shall be held and applied for the purposes of the corporation.

Borrowing  
power.

**16.** The board may, by by-law passed by a two-thirds vote of the members present at a meeting duly called for that purpose, borrow money from time to time for the purposes of the corporation, such sums as may, in their opinion, be required for such purposes and may charge, hypothecate, mortgage or pledge any or all of the real and personal property and assets of the corporation to secure any money so borrowed or any debt or liability of the corporation, and may execute mortgages or any other form of security for such moneys as may be borrowed or owing.

Investments.  
Rev. Stat.,  
c. 400.

**17.** The board may invest in such securities as are provided for in *The Trustee Act* all moneys that may at any time come into its hands for the use and support of the corporation, or may deposit the same in any chartered bank.

Authority  
of board.

**18.** The powers of the corporation shall be vested in and exercised by the board, and without restricting the generality of the foregoing, the board shall appoint such officers, superintendents, matrons, medical and surgical staff, nurses, employees, servants and agents, as it may from time to time require, or deem necessary, and shall have the control, management, government and disposition of the hospital, institutions and other properties and work established or carried on by the corporation, and subject to the provisions of this Act, of all its properties, endowments, funds, assets, income,

revenue and expenditures, and the board shall have power to pass by-laws, resolutions, rules and regulations touching or respecting any and all the said powers and matters and fixing the salaries, wages, fees and emoluments of all persons appointed by or under the jurisdiction of the board and also in respect of all matters pertaining to the business, meetings and transactions of the board, and for fixing the quorum necessary for its meetings, and the board may act by such committees of or appointed by the board as it may deem proper to appoint.

**19.** The superintendent of the hospital, and such other of its officers to whom the board may from time to time delegate the power, may, subject to the approval of the board, make regulations for the direction of the nurses, employees and servants in regard to their duties and for the conduct and discipline of all patients at or in the hospital or other institutions, and of all visitors thereto, and for the internal conduct and management thereof.

Authority  
of superin-  
tendent, etc.

**20.** No real property or interest therein vested in the corporation and used for its purposes shall be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking lands compulsorily for any purpose whatsoever; and no power to expropriate real property hereafter conferred on any such corporation or person shall extend to any such real property or interest unless in the Act conferring the power it is made in express terms to apply to such real property; provided that this section shall not apply to any land of the corporation which is required for the purpose of widening or extending any highway.

Property  
not liable to  
expropria-  
tion.

**21.** Without limiting the general powers hereinbefore conferred, but subject to *The Nurses Act*, the corporation may affiliate with any established training school for nurses for the training of any nurses in the employ of the board and the board may erect, equip and maintain residences for nurses, superintendents, resident physicians and surgeons of the corporation or other institutions of the corporation, and also all other buildings which may be requisite, upon such sites as the board may deem proper.

Affiliation  
with training  
schools, and  
erection of  
residences.  
Rev. Stat.,  
c. 256.

**22.** Subject to *The Nurses Act*, the board may establish and maintain in connection with the hospital, a training school for nurses whereby nurses may receive a thorough training and be given a diploma upon completing the curriculum and passing the medical and nursing examinations required, and may also establish and maintain a home for nurses whereby nurses who have been properly trained may be supplied to private families in the City of Niagara Falls or elsewhere.

Establish-  
ment of  
training  
school and  
home for  
nurses.

Admission  
of patients,  
rates, etc.  
Rev. Stat.,  
c. 307.

**23.** Subject to *The Public Hospitals Act*, the board may admit patients at such rates as may from time to time be prescribed by the board and in respect of all patients the board may by by-law or resolution make such regulations and impose such restrictions as to the board may seem proper.

1933, c. 89;  
1948, c. 109,  
repealed.

**24.** *The Niagara Falls General Hospital Trust Act, 1933* and *The Greater Niagara General Hospital Trust Act, 1948* are repealed.

Commence-  
ment.

**25.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**26.** This Act may be cited as *The Greater Niagara General Hospital Act, 1951*.

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## SCHEDULE

The lands registered in the name of the Niagara Falls General Hospital Trust by deed dated the 30th day of December, 1904, and registered in the Registry Office for the Registry Division of the County of Welland, on the 8th day of February, 1905, as No. 766, for the City of Niagara Falls. The said lands are described as follows: In the City (formerly the Town) of Niagara Falls, in the County of Welland, and being composed of Lots Numbers Fifty-five to Sixty-five inclusive, and Lots Numbers Seventy-three to Eighty-three inclusive, according to Plan No. 33, registered for the Town of Niagara Falls, together with the lane or alleyway described as follows: Commencing at the north-west angle of said Lot No. 65; thence southerly in a straight line to the south-west angle of said Lot No. 55; thence westerly to the south-east angle of said Lot No. 83; thence northerly in a straight line to the north-east angle of said Lot No. 75; thence easterly along Jepson Street to the place of beginning, all according to a map or plan made for the Niagara Falls Land Company, Limited, registered in the Registry Office for the County of Welland, as No. 33.





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BILL

An Act to incorporate The Greater Niagara  
General Hospital

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*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. HOUCK

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(*Private Bill*)

No. 29

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to incorporate The Greater Niagara General Hospital**

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MR. HOUCK

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1950

1431

11

THE UNIVERSITY OF CHICAGO

No. 29

1951

# BILL

## An Act to incorporate The Greater Niagara General Hospital

**W**HEREAS the Greater Niagara General Hospital Trust Preamble.  
by its petition has represented that the Trust was  
incorporated by *The Niagara Falls General Hospital Trust* 1933, c. 89;  
*Act, 1933*, as amended by *The Greater Niagara General Hos-* 1948, c. 109.  
*pital Trust Act, 1948*, and that it is desirable to repeal the said  
Acts, to create a corporation under the name of "The Greater  
Niagara General Hospital", to provide for the method of  
selection of the governing body of the corporation, to set out  
the objects and purposes of the corporation and to define its  
powers, to vest all properties real and personal and the under-  
taking and assets owned, held, possessed or enjoyed by the  
Greater Niagara General Hospital Trust, subject to all  
obligations, debts, mortgages, charges and liabilities in any  
way affecting the same or any part thereof or in any way  
due or owing by or from the said existing Trust, in The Greater  
Niagara General Hospital; and whereas the petitioner has  
prayed that an Act be passed for such purposes; and whereas  
it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. Arthur Stuart Robertson, John Patrick Matthews, The Greater  
Niagara  
General  
Hospital.  
Theodore Smith, James Barr, Aubrey Wray, Laura Teckoe,  
Ruth Grieves, Bertha Fielding, Albert Frank, William Donald  
Bracken, Henry Arnold Haigh, Ernest Myron Hawkins,  
Arthur G. Bridge, George Bukator and Richard Street  
Duggan, being all the present Trustees of the Greater Niagara  
General Hospital Trust, are hereby constituted and shall be a  
corporation under the name of "The Greater Niagara General  
Hospital", herein called the corporation, for the purposes and  
with the powers herein mentioned.

2. Within seven days after the day this Act comes into First  
meeting.  
force, the persons hereinbefore named shall hold a meeting

at which the persons selected in the manner set forth in section 3 shall be installed as successors to the hereinbefore-named persons who shall thereupon resign.

Constitution  
of  
corporation.

**3.** The persons constituting the corporation shall be the following: one representative from each of the municipal councils of the City of Niagara Falls, the Village of Chippawa, the Township of Stamford and the County of Welland, such representatives to be members of their respective councils; one representative of the Province of Ontario; one representative of the Hospital Medical Staff; one representative of the Women's Hospital Auxiliary; nine members elected by The Greater Niagara General Hospital Association; three members appointed by those members already selected as provided by this section.

Terms of  
office.

**4.** The terms of office of these members shall be as follows:

- (a) The representatives of the said municipal councils, the Province of Ontario, the Hospital Medical Staff and the Women's Hospital Auxiliary shall hold office for a term of one year.
- (b) Of the nine members first elected by The Greater Niagara General Hospital Association, the three persons receiving the greatest number of votes shall hold office for a term of three years, the three persons receiving the next greatest number of votes shall hold office for a term of two years, and the remaining three persons shall hold office for a term of one year, at which time and annually thereafter, three members shall be elected to hold office for a term of three years. No such member shall hold office for more than two consecutive terms of three years each, provided that such a member may be re-elected after a lapse of one year.
- (c) The three members appointed by those members otherwise chosen shall hold office for a term of three years.

Board of  
Governors.

**5.** The persons elected and appointed as above set forth and their successors shall constitute the Board of Governors of the corporation, hereinafter called the board.

Vacancies.

**6.** Upon a vacancy occurring by death, resignation or otherwise in the office of any of the board, other than those appointed by the four municipal councils, the Province of Ontario, the Hospital Medical Staff and the Women's Hospital Auxiliary, his successor shall be appointed by the board.



7. The board may, by resolution passed by a two-thirds <sup>Idem.</sup> vote of the members present at a meeting duly called for that purpose, declare the seat of any member, other than those members appointed by the four municipal councils, the Province of Ontario, the Hospital Medical Staff and the Women's Hospital Auxiliary, to be vacant.

8.—(1) The membership of The Greater Niagara General Hospital Association shall be composed of such clubs, lodges or other bodies as purchase a club membership in the said Association together with such individual members who purchase an individual membership in the said Association, the cost of such membership to be set by the board. <sup>Members of Association.</sup>

(2) Each of such memberships shall have one vote but only <sup>Voting.</sup> the holder of an individual membership shall be eligible for election to the board.

9. The board shall appoint annually, and at its first meeting <sup>Officers.</sup> in each year, one of its number to be president, who shall hold office for one year and until his successor is appointed, and may, from time to time, appoint one of its number to be vice-president, who shall, in the absence of the president, or in case his office is vacant, act in his place, and may also appoint one of its number to be secretary-treasurer.

10. The services of the members of the board shall be <sup>Remuneration.</sup> given without remuneration, except for actual disbursements incurred in the affairs of the corporation and approved by the board.

11.—(1) All real and personal properties and the under- <sup>Vesting of assets, etc., in corporation.</sup> taking and assets owned, held, possessed or enjoyed by the said existing Greater Niagara General Hospital Trust, including the lands described in the Schedule to this Act, are hereby vested in the corporation for its purposes, without the necessity of any other grant, conveyance, transfer, assignment, or vesting thereof, but subject to the provisions of this Act and all obligations, debts, mortgages, charges and liabilities in any way affecting the same or any part thereof or in any way due or owing by or from the said existing Trust as now in operation or constituted.

(2) All trusts, gifts, devises and bequests hereafter made to <sup>Future gifts, etc.</sup> or in favour of or intended for Greater Niagara General Hospital Trust shall be held and enjoyed by the corporation.

12. The corporation shall have full power to continue and <sup>Powers to carry on hospitals.</sup> carry on the hospital now established and being carried on upon the lands mentioned in the Schedule hereto and to carry on other hospitals and other similar institutions and under-

takings and to do all things necessary, incidental or usual thereto, or in connection therewith, and to acquire any land for such purposes.

Purposes of corporation.

**13.** The purposes of the corporation, so far as it may be possible, shall be to carry on the said hospital and all other hospitals, sanatoria or other similar institutions which it may establish, undertake or carry on in perpetuity for the benefit and advantage of the inhabitants of the City of Niagara Falls, the Township of Stamford and the Village of Chippawa.

Donations and gifts to corporation.

**14.** For the purposes of the corporation, the board may in its discretion, receive or take in the name of the corporation, from any person or body corporate, by grant, gift, devise or otherwise, any land or interest in land or any goods, chattels or effects for the use, support or purposes of the corporation, and without licence in mortmain, and in their discretion may sell or dispose of same.

Sale of property of corporation.

**15.** The board may, from time to time, sell and dispose of any of the real and personal properties of the corporation which no longer may be necessary for its purposes; provided that the proceeds derived from any such sale or disposal shall be held and applied for the purposes of the corporation.

Borrowing power.

**16.** The board may, by by-law passed by a two-thirds vote of the members present at a meeting duly called for that purpose, borrow money from time to time for the purposes of the corporation, such sums as may, in their opinion, be required for such purposes and may charge, hypothecate, mortgage or pledge any or all of the real and personal property and assets of the corporation to secure any money so borrowed or any debt or liability of the corporation, and may execute mortgages or any other form of security for such moneys as may be borrowed or owing.

Investments.  
Rev. Stat.,  
c. 400.

**17.** The board may invest in such securities as are provided for in *The Trustee Act* all moneys that may at any time come into its hands for the use and support of the corporation, or may deposit the same in any chartered bank.

Authority of board.

**18.** The powers of the corporation shall be vested in and exercised by the board, and without restricting the generality of the foregoing, the board shall appoint such officers, superintendents, matrons, medical and surgical staff, nurses, employees, servants and agents, as it may from time to time require, or deem necessary, and shall have the control, management, government and disposition of the hospital, institutions and other properties and work established or carried on by the corporation, and subject to the provisions of this Act, of all its properties, endowments, funds, assets, income,

revenue and expenditures, and the board shall have power to pass by-laws, resolutions, rules and regulations touching or respecting any and all the said powers and matters and fixing the salaries, wages, fees and emoluments of all persons appointed by or under the jurisdiction of the board and also in respect of all matters pertaining to the business, meetings and transactions of the board, and for fixing the quorum necessary for its meetings, and the board may act by such committees of or appointed by the board as it may deem proper to appoint.

**19.** The superintendent of the hospital, and such other of its officers to whom the board may from time to time delegate the power, may, subject to the approval of the board, make regulations for the direction of the nurses, employees and servants in regard to their duties and for the conduct and discipline of all patients at or in the hospital or other institutions, and of all visitors thereto, and for the internal conduct and management thereof.

Authority  
of superin-  
tendent, etc.

**20.** No real property or interest therein vested in the corporation and used for its purposes shall be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking lands compulsorily for any purpose whatsoever; and no power to expropriate real property hereafter conferred on any such corporation or person shall extend to any such real property or interest unless in the Act conferring the power it is made in express terms to apply to such real property; provided that this section shall not apply to any land of the corporation which is required for the purpose of widening or extending any highway.

Property  
not liable to  
expropria-  
tion.

**21.** Without limiting the general powers hereinbefore conferred, but subject to *The Nurses Act*, the corporation may affiliate with any established training school for nurses for the training of any nurses in the employ of the board and the board may erect, equip and maintain residences for nurses, superintendents, resident physicians and surgeons of the corporation or other institutions of the corporation, and also all other buildings which may be requisite, upon such sites as the board may deem proper.

Affiliation  
with training  
schools, and  
erection of  
residences.  
Rev. Stat.,  
c. 256.

**22.** Subject to *The Nurses Act*, the board may establish and maintain in connection with the hospital, a training school for nurses whereby nurses may receive a thorough training and be given a diploma upon completing the curriculum and passing the medical and nursing examinations required, and may also establish and maintain a home for nurses whereby nurses who have been properly trained may be supplied to private families in the City of Niagara Falls or elsewhere.

Establish-  
ment of  
training  
school and  
home for  
nurses.

Admission  
of patients,  
rates, etc.  
Rev. Stat.,  
c. 307.

**23.** Subject to *The Public Hospitals Act*, the board may admit patients at such rates as may from time to time be prescribed by the board and in respect of all patients the board may by by-law or resolution make such regulations and impose such restrictions as to the board may seem proper.

1933, c. 89;  
1948, c. 109,  
repealed.

**24.** *The Niagara Falls General Hospital Trust Act, 1933* and *The Greater Niagara General Hospital Trust Act, 1948* are repealed.

Commence-  
ment.

**25.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**26.** This Act may be cited as *The Greater Niagara General Hospital Act, 1951*.

## SCHEDULE

The lands registered in the name of the Niagara Falls General Hospital Trust by deed dated the 30th day of December, 1904, and registered in the Registry Office for the Registry Division of the County of Welland, on the 8th day of February, 1905, as No. 766, for the City of Niagara Falls. The said lands are described as follows: In the City (formerly the Town) of Niagara Falls, in the County of Welland, and being composed of Lots Numbers Fifty-five to Sixty-five inclusive, and Lots Numbers Seventy-three to Eighty-three inclusive, according to Plan No. 33, registered for the Town of Niagara Falls, together with the lane or alleyway described as follows: Commencing at the north-west angle of said Lot No. 65; thence southerly in a straight line to the south-west angle of said Lot No. 55; thence westerly to the south-east angle of said Lot No. 83; thence northerly in a straight line to the north-east angle of said Lot No. 75; thence easterly along Jepson Street to the place of beginning, all according to a map or plan made for the Niagara Falls Land Company, Limited, registered in the Registry Office for the County of Welland, as No. 33.

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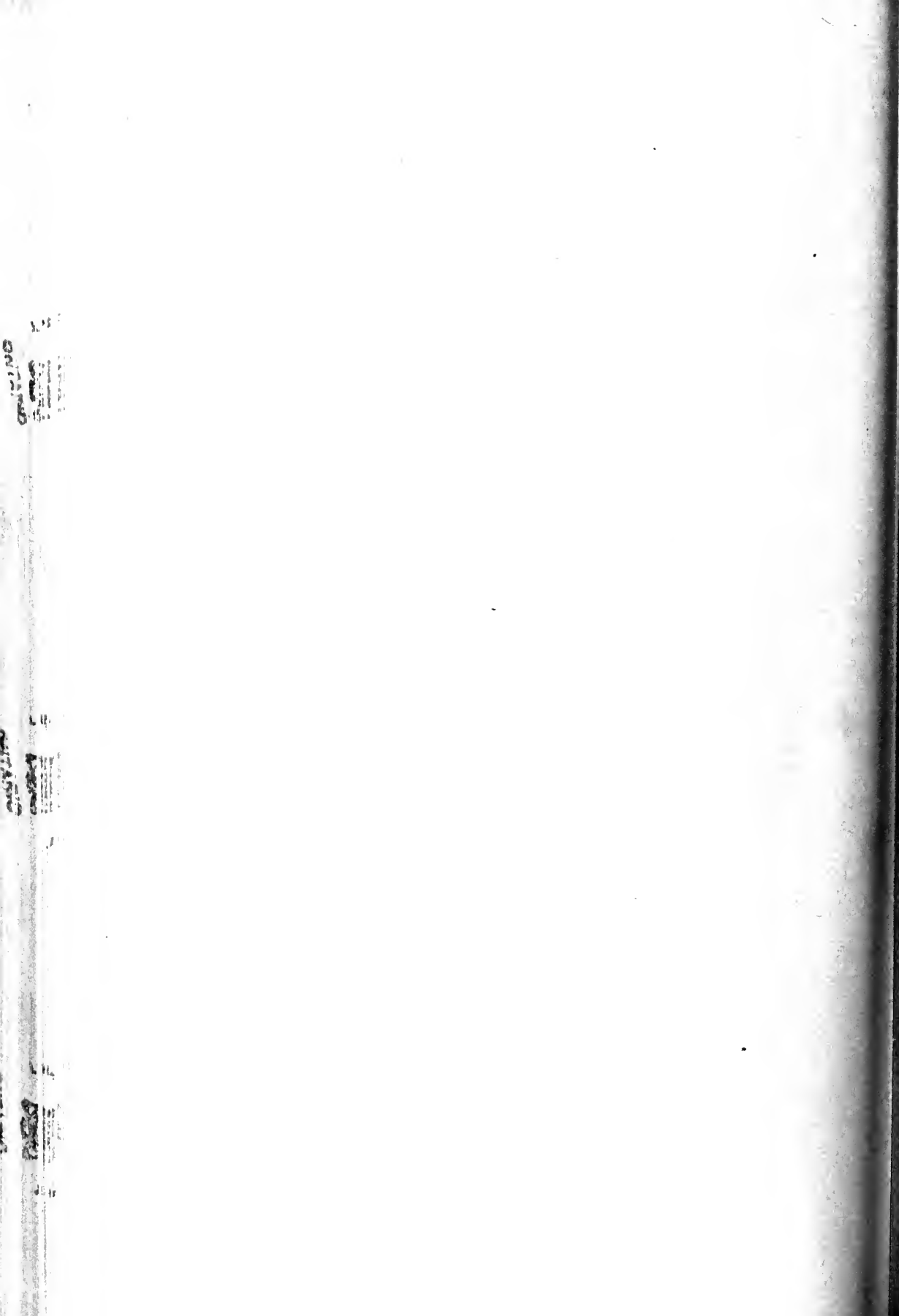
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**BILL**  
**An Act to incorporate The Greater Niagara  
General Hospital**

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*1st Reading*

February 13th, 1951

*2nd Reading*

February 23rd, 1951

*3rd Reading*

February 27th, 1951

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MR. HOUCK

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to incorporate the Town of Malton

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MR. MACKENZIE

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(PRIVATE BILL)



# BILL

## An Act to incorporate the Town of Malton

**W**HEREAS the Trustees of the Police Village of Malton, Preamble.  
hereinafter called the Trustees, by their petition have represented that the Village has been in existence for a number of years and is part of the Townships of Toronto and Toronto Gore in the County of Peel; that there are situated in the area described in the Schedule hereto very large and expanding industries and that there is a large residential district; that by petition signed by a large majority of the ratepayers in the area described in the Schedule hereto the Trustees have been requested to incorporate the area as a town and the Trustees have petitioned for the passing of this Act; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The inhabitants of the lands described in the Schedule Incorporation of Town.  
hereto are hereby constituted a corporation or body politic under the name of The Corporation of the Town of Malton, hereinafter called the Town, separate and apart from the Townships of Toronto and Toronto Gore, and the area of the Town shall comprise and consist of the lands therein described which are hereby detached from the said Townships.

2.—(1) The council of the Town shall consist of a mayor, Composition of council.  
a reeve, a deputy reeve and four councillors, until changed under the provisions of *The Municipal Act*. Rev. Stat., c. 243.

(2) The Trustees shall administer the affairs of the Town until the first meeting of the council of the Town is held and shall have all the powers and perform all the duties of the council of a town. The chairman of the Trustees shall act as and perform the duties of the mayor, and the secretary of the Trustees shall perform all the duties of the clerk and treasurer of the Town until a clerk and treasurer are appointed by the council. Administration until council takes office.

First  
election.

Rev. Stat.,  
c. 243.

(3) An election shall be held within two months after the day this Act comes into force for the purpose of electing persons to fill such offices until the council elected for the year 1953 takes office, and the provisions of *The Municipal Act* respecting the qualification and election of members of councils for towns shall apply, except that the Trustees shall not be disqualified from being nominated or elected to the council by reason of their continuing as such trustees.

Nomination  
meeting.

3. The Trustees shall fix the place and time of the nomination meeting for the first election but such nomination meeting shall be held not more than three weeks and not less than one week before the holding of the first election and the clerk of the said Trustees shall be the returning officer for such election.

Voters'  
lists.

4. The clerks of the Townships of Toronto and Toronto Gore shall furnish the secretary of the Trustees, upon demand, with certified copies of the last revised voters' lists of the said townships, and such persons as are named in the said voters' lists by virtue of their connection with lands situated within the limits set out in the Schedule hereto shall be the persons entitled to vote at the first election.

First  
meeting  
of council.

5. The council so to be elected shall hold their first meeting on the first Monday following the polling, and if there shall not be any polling, then on the first Monday following the nomination meeting at such time and place as may be fixed by the Trustees.

Application  
of Rev. Stat.,  
c. 243.

6. Save as in this Act otherwise expressly provided, all the provisions of *The Municipal Act* and of any other general Act applicable to towns, shall apply to the same extent as if the Town had been incorporated under the provisions of *The Municipal Act*.

Assets and  
liabilities.

7.—(1) All the assets of the Police Village of Malton are hereby vested in the Town and the Town shall assume and be liable for all the liabilities of the Police Village.

Agreements  
continued.

(2) All agreements made by the Police Village shall enure to and be binding upon the Town as if such agreements had been made by the Town.

Specific  
agreement  
continued.

1947, c. 142.

(3) The agreement dated the 21st day of February, 1947, between the Corporation of the City of Toronto, the Corporation of the Township of Toronto, the Corporation of the Township of Toronto Gore and the Corporation of the County of Peel and ratified and confirmed by section 1 of *The City of Toronto Act, 1947* shall continue in full force and effect and enure to the benefit of and be binding upon the Town and the

Corporation of the City of Toronto and the respective rate-payers thereof in respect to all lands, buildings and people affected thereby and situate within the limits of the Town. Save as herein provided, the said agreement shall remain binding on the parties thereto.

(4) Any arrangement heretofore made with the Corporation of the Township of Toronto in respect of the payment of taxes on lands in the Township of Toronto owned by the Corporation of the City of Toronto for airport purposes shall continue in full force and effect and to the same extent as if the said lands had continued to form part of the Township of Toronto.

8.—(1) All taxes for the year 1951 shall be levied and collected by the Townships of Toronto and Toronto Gore in the same manner as if the Town had not been incorporated.

(2) All taxes levied for the Police Village of Malton for the year 1951 shall belong to the Town and shall be paid to the treasurer of the Town as collected.

(3) The treasurers of the Townships of Toronto and Toronto Gore shall pay to the treasurer of the Town 37½ per cent of all taxes levied on the area within the Town in the year 1951 for roads and bridges, fire protection and township purposes as collected.

(4) The townships are hereby relieved from responsibility for fire protection and road maintenance but shall remain responsible for direct relief and hospitalization until the end of the year 1951.

(5) The provisions of section 35 of *The Assessment Act* shall apply to lands held in blocks of not less than two acres in the town while used for farm or residential purposes.

9. The clerks of the Townships of Toronto and Toronto Gore shall furnish the clerk of the Town, upon demand, with a certified copy of so much of the last revised assessment rolls of the said townships as may relate to the lands lying within the Town.

10. The lands comprised in the Town shall be and remain parts of the existing school sections for all purposes as though this Act had not been passed, until some affirmative procedure is taken under the general Acts relating to education to alter this arrangement.

Officers of  
Town.

**11.** The council of the Town may appoint one person to fill the offices of clerk and treasurer in the said Town and another to fill the offices of assessor and collector.

Payment of  
expenses  
by Town.

**12.** The expenses incurred in obtaining this Act and of furnishing any documents, copies of papers, writings, deeds, plans and any matters whatsoever required by the clerk or other officer of the Town or otherwise shall be borne by the Town and paid by it to any person who may be entitled thereto.

Reference of  
disputes to  
Municipal  
Board.

**13.** Any dispute arising between the Town and the Corporations of the Townships of Toronto and Toronto Gore out of the provisions of this Act shall be determined by the Ontario Municipal Board and its decision shall be final and binding on all parties concerned.

Commence-  
ment.

**14.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**15.** This Act may be cited as *The Town of Malton Act, 1951*.

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## SCHEDULE

Township Lots 6 to 12 inclusive, in Concession 6 of the Township of Toronto, in the County of Peel; Township Lots 1 to 9 inclusive, the west half of Lot 10, all of Lot 11, and the west half of Lot 12, in Concession 7 of Toronto Gore Township, in the County of Peel; together with all original allowances for roads lying between any of the said lots.



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BILL

An Act to incorporate the Town of Malton

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*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. MACKENZIE

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*(Private Bill)*



No. 31

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting Victoria University

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MR. ALLEN

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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# BILL

## An Act respecting Victoria University

**W**HEREAS The Board of Regents of Victoria University Preamble.  
by its petition has represented that it is desirable that  
*The Victoria University Act, 1944* be re-enacted with certain 1944, c. 86.  
amendments respecting the management of the said University; and whereas it is expedient to grant the prayer of the petition,

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation.

- (a) "Board" means The Board of Regents of Victoria University;
- (b) "faculty" means the president and all the permanent members of the staff of Victoria or Emmanuel Colleges engaged in teaching;
- (c) "graduates" means the graduates of Victoria University before federation with the University of Toronto and the graduates of the University of Toronto after federation who were enrolled in Victoria University at the time of their graduation;
- (d) "alumni of Emmanuel College" means:
  - (i) All those who have received a degree in Divinity from Victoria University, or who have received a degree in Divinity from Knox College previous to May 1, 1927, and who were connected with The United Church of Canada on August 1, 1928, or who within five years from that date elected to become alumni of Emmanuel College.

- (ii) All those who have completed a regular course in Theology prescribed for ordination to the ministry in Emmanuel College, or in the Faculty of Theology of Victoria University, or in Union Theological College.
- (iii) All those who previous to May 1, 1927, completed in Knox College a regular course prescribed for ordination to the ministry, and who were connected with The United Church of Canada on August 1, 1928, or who within five years from that date elected to become alumni of Emmanuel College.
- (iv) All ministers of The United Church of Canada who have completed one full year in Theology in Emmanuel College, or in the Faculty of Theology of Victoria University, or in Union Theological College, or prior to May 1, 1927, in Knox College.

Royal  
Charter.

**2.** The Royal Charter granted in the seventh year of the reign of His late Majesty King William the Fourth incorporating the Upper Canada Academy is hereby declared always to have been in full force and effect from the date thereof, notwithstanding anything to the contrary in any legislative enactment or otherwise and it shall remain in full force and effect.

Victoria  
University  
continued.

**3.** Victoria University as established by the said Royal Charter and by Acts of the Legislature of the late Province of Canada and of the Province of Ontario is hereby declared always since the date of the Royal Charter granted in the seventh year of the reign of His late Majesty King William the Fourth to have had continuous existence, notwithstanding anything to the contrary in any legislative enactment or otherwise and it is hereby continued and shall continue as a body corporate to be called and known as Victoria University.

The Board  
of Regents.

**4.—(1)** The said Victoria University shall be under the management and administration of "The Board of Regents of Victoria University" which is hereby continued as a body corporate under that name.

Constitution  
of Board.

**(2)** The Board shall consist of forty-three members to be elected or appointed as set out in the following sections. These members shall hold office until their successors are elected or appointed as follows:

- (a) Twenty-two members by vote of the General Council of The United Church of Canada appointed every two years.

- (b) Four *ex officio* members, being the Chancellor of Victoria University, the President of Victoria University, the Principal of Victoria College and the Principal of Emmanuel College.
- (c) Eight members by vote of the graduates in Arts, Medicine, Science and Law of Victoria University every four years.
- (d) Five members by vote of the alumni of Emmanuel College every four years.
- (e) Four members to be elected by the before-mentioned thirty-nine members according to the regulations which may be made from time to time by the Board.

(3) If a vacancy occurs in the Board from among the <sup>Vacancies.</sup> members elected by the General Council of The United Church of Canada, such vacancy shall be filled by the executive committee of the said General Council. If a vacancy occurs from among the other members of the Board, the vacancy shall be filled by the Board, but in the case of a vacancy from among the members elected by the graduates or by the alumni, the Board shall appoint a graduate or alumnus, as the case may be, to fill the vacancy.

5.—(1) The Board shall have in addition to the powers, <sup>Power to hold land. Rev. Stat., c. 184.</sup> rights and privileges mentioned in section 27 of *The Interpretation Act* power to purchase, acquire, take and hold by gift, devise or otherwise real and personal property for the purpose of the University without licence in mortmain and may grant, sell, mortgage, lease and otherwise dispose of the same or any part thereof.

(2) The real and personal property vested in the Board <sup>Exemption from taxation.</sup> and any lands and premises leased to or occupied by the Board shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation; but except as mentioned in subsection 3 and unless otherwise by law exempt, the interest of every lessee under a lease from the Board and every occupant other than the Board of real property vested in the Board shall be liable to taxation.

(3) The liability to taxation of the interest of a lessee or <sup>Idem.</sup> occupant mentioned in this section shall not extend to the interest of a lessee or occupant being a member of the teaching staff or an officer or servant of Victoria University who, or being an association of undergraduates or an incorporated society of undergraduates or of graduates and undergraduates which, is the lessee or occupant of any part of the property

commonly known as the University Park, composed of the north halves of park lots numbers eleven, twelve and thirteen in the first concession from the Bay, in the Township of York, now in the City of Toronto, and including that part of park lot number fourteen in the first concession, described in a conveyance to Her late Majesty Queen Victoria, registered as number 8654R in the registry office for the Registry Division of the City of Toronto, but the interest of every such lessee or occupant shall be exempt from taxation.

Vesting of  
property.

**6.** All real and personal property now vested in Victoria University or in The Board of Regents of Victoria University shall be and it is hereby vested in the Board.

Duties  
of Board.

**7.** The Board shall,

- (a) make such regulations as may be necessary or advisable for the holding of nominations and elections for membership on the Board;
- (b) keep proper books of account of the financial affairs of Victoria University;
- (c) present an annual report of the life and work of the University and its Colleges, accompanied by a duly audited financial statement, to The United Church of Canada.

Powers of  
Board.

**8.** The Board shall have power:

- (a) To elect its own Chairman, Vice-Chairman, Treasurer and Secretary; to prescribe their respective duties, powers and authority, and to determine the tenure of each such office. Should a vacancy in any office occur at any time, the Board shall, at its next meeting, elect a new occupant of such office. The Secretary may or may not be a member of the Board.
- (b) To make by-laws, rules and regulations,
  - (i) pertaining to the meetings of the Board and its transactions, for fixing the quorum of the Board and for the appointment of such committees as it may deem necessary, and for conferring on any such committees power and authority to act for the Board in and in relation to such matters as the Board may deem it expedient to delegate to a committee with power to act for the Board, and

- (ii) in respect of all such matters and things as may seem necessary or advisable for the welfare, advancement and good government of Victoria University which are not contrary to this Act or are not by this Act assigned to any other body.
- (c) To appoint a Chancellor, a President (who shall also be Vice-Chancellor), and a Registrar of Victoria University, a Principal of Victoria College, a Principal of Emmanuel College, a Bursar, a Librarian, professors, lecturers, instructors, tutors, and all officers, agents and servants of the University and its Colleges and to remove the same and to determine their salaries, duties and tenure of office which, unless otherwise provided, shall be at the pleasure of the Board, provided, however, that the members of the Faculty of Emmanuel College shall be appointed or removed only by a majority vote of the members of the Board and also by a majority vote of those members of the Board elected by the General Council of The United Church of Canada present at a meeting duly called for the purpose. The appointment of the Principal and professors of Emmanuel College shall be subject to confirmation by the General Council of The United Church of Canada or by a duly authorized board or committee of the General Council.
- (d) In case of vacancy in the office of President or of the absence, illness or other incapacity of the President, to appoint a Head of Victoria University for all the purposes of and with all the powers and authorities contemplated by *The University of Toronto Act, 1947, c. 112. 1947.*
- (e) To make regulations respecting and providing for the retirement and superannuation of any of the persons mentioned in clause c or the payment of a gratuity to any of them upon retirement and to provide that any superannuation or retiring allowance or gratuity shall be paid out of a fund which may be created for that purpose either with the money of the Board or from contributions from such persons or partly by both or in whole or in part from the general funds of Victoria University.
- (f) Subject to the limitations imposed by any trust as to the same, to invest all such money as shall come to the hands of the Board and is not required

to be expended for any purpose to which it lawfully may be applied, in such manner as to the Board may seem meet.

- (g) To lay out and expend such sums as the Board may deem necessary for the erection, furnishing, maintenance and equipment of such buildings as are or may be deemed necessary for the purposes of Victoria University or the students thereof; provided, however, that the Senate and the Council of the College concerned shall be invited to inspect all plans of buildings and may make suggestions with regard thereto, and that before any such suggestions are rejected there be consultation between the Senate and the Board.
- (h) To exercise all the powers for establishing faculties, departments, chairs and courses of instructions in Victoria University and its Colleges as have been conferred on Victoria University or the Board or Senate thereof by the said Royal Charter or by any Act of the Legislature of the late Province of Canada or of the Province of Ontario.
- (i) To receive and administer all gifts, legacies, devises, grants, subscriptions or donations for Victoria University and its Colleges subject to the powers of the Senate under clause e of section 10.
- (j) To impose tuition and other fees on the students of Victoria University.

The Senate. **9.**—(1) There shall be a Senate of Victoria University which shall consist of the following:

- The Chancellor;
- The Vice-Chancellor;
- Six members of the Board appointed by the Board from their number;
- All active members of the permanent teaching staff of Victoria College and Emmanuel College;
- All retired members of the permanent teaching staff of Victoria College and Emmanuel College who had attained the rank of a full professor;
- Ten representatives elected every four years by the graduates of the faculties of Arts, Medicine, Science and Law of Victoria University;



Six representatives elected every four years by the alumni of Emmanuel College;

Two representatives appointed by Albert College.

(2) The said members of the Senate shall hold office until their successors are elected.

**10.** The Senate shall have power,

Powers of  
Senate.

- (a) To provide for the regulation and conduct of its proceedings including the determination of the quorum necessary for the transaction of business.
- (b) Subject to *The University of Toronto Act, 1947*, to 1947, c. 112. provide for the granting of and to grant degrees, including honorary degrees in the several colleges and faculties which are or may from time to time be established and to determine the courses of study and qualifications for degrees.
- (c) To make such regulations as may be deemed necessary and proper for the nomination and election of members to the Senate.
- (d) To make regulations and deal with all such matters of a strictly educational nature as have not in this Act been assigned to either of the Colleges.
- (e) To provide for the establishment of fellowships, scholarships, bursaries, exhibitions, medals, prizes and other awards.
- (f) To summon and provide for the holding of Convocation, for the conferring of degrees and for such other purposes as may be determined by the Senate.
- (g) To appoint such representative or representatives of Victoria University on the Senate of the University of Toronto as *The University of Toronto Act, 1947* may authorize, provided, however, that no person who is a member of the Council of Emmanuel College shall be entitled to vote on any such appointment.
- (h) To deal with such other matters and affairs as may from time to time be committed to it by the Board.

**11.**—(1) The Chancellor shall preside at the meetings of the Senate and of Convocation of Victoria University and shall confer degrees. Duties of  
officers.

Idem. (2) The Vice-Chancellor shall, in the absence of the Chancellor, preside at the meetings of the Senate and of Convocation of Victoria University and confer degrees.

Idem. (3) The President shall be charged with the general oversight of the University as a whole. He shall be the Head of Victoria University within the meaning of clause *a* of section 1947, c. 112. 42 of *The University of Toronto Act, 1947* and shall be the Chief Administrative Officer of the Board.

Idem. (4) The Principal of each College shall have general supervision of the life and work of his College and shall be Chairman and Chief Administrative Officer of the Council of his College. The Principal of Emmanuel College shall be the Head of Emmanuel College within the meaning of clause *a* of section 42 of *The University of Toronto Act, 1947*.

Idem. (5) The Registrar shall be the Secretary of the Senate and shall keep all records and papers of the Senate including lists of all graduates and alumni including holders of diplomas and certificates, the records of all examination results and the standing of all students in each College. He shall register the students in each of the Colleges under the authority of the Councils. He shall also conduct the elections of the representatives of the graduates and alumni on the Board and on the Senate of Victoria University. The Registrar shall also perform such other duties as may be assigned to him by the Senate or the Board.

Idem. (6) Each of the above officers shall also perform such other duties and functions as may be assigned to him by the Board and shall in all matters pertaining to his office act under the direction and control of the Board.

Victoria College. **12.** The Faculty of Arts formerly established in Victoria University and known as Victoria College in the University of Toronto is hereby continued and shall also be known as Victoria College of Victoria University.

Council of Victoria College. **13.—**(1) There shall be a Council of Victoria College which shall consist of the President of Victoria University, the Principal of Victoria College, the Registrar of Victoria University, the Librarian of Victoria University, and all active members of the permanent teaching staff of Victoria College, together with one professor in the Department of Religious Knowledge chosen by the Faculty of Emmanuel College.

Powers and duties of Council. (2) The Council of Victoria College shall have the following powers and duties:

- (a) To make rules and regulations for governing its own proceedings, including the determining of the quorum necessary for the transaction of business.
- (b) Subject to the provisions of this Act and of *The 1947, c. 112. University of Toronto Act, 1947* and to the approval of the Board, to prescribe and regulate the courses of study, to exercise direction, guidance and oversight of the work and life of the College; and to make such rules and regulations as may from time to time be required for the good of the College.
- (c) To transact such business as may arise that concerns the Council as a whole.
- (d) To determine what students, possessing the academic qualifications prescribed from time to time by the Senate of the University of Toronto shall be enrolled in Victoria College; and to deal with and decide upon all applications, petitions and memorials presented to them from any source and upon which the action of the College is required.
- (e) To conduct all examinations held by Victoria College.
- (f) To appoint such representatives to the Senate of the University of Toronto as *The University of Toronto Act, 1947* may authorize, of whom one shall be the Principal of Victoria College.
- (g) To consider and report to the Board and to the Senate or to either of them upon such matters affecting Victoria College as to the Council may seem meet.

**14.** The Faculty of Theology, formerly established in Victoria University and which was united with Union Theological College to form Emmanuel College, is hereby continued and shall be known as Emmanuel College of Victoria University.

**15.—(1)** There shall be a Council of Emmanuel College which shall consist of the President of Victoria University, the Principal of Emmanuel College, the Registrar of Victoria University, the Librarian of Victoria University, all active members of the permanent teaching staff of Emmanuel College, the six members elected by the alumni of Emmanuel College as members of the Senate of Victoria University, and the five members elected by the alumni of Emmanuel College to be members of the Board.

Powers and  
duties of  
Council.

(2) The Council of Emmanuel College shall have the following powers and duties:

- (a) To determine the theological curriculum in harmony with the general principles laid down by the General Council of The United Church of Canada.
- (b) To prepare courses of study for degrees in Divinity and submit the same to the Senate of Victoria University for its approval.
- (c) To determine what students shall be enrolled in Emmanuel College; and to deal with and decide upon all applications, petitions and memorials presented to them from any source.
- (d) To arrange for the teaching and examining of the students and to grant diplomas, certify to presbytery the students who have completed their course of study for ordination, and report to the Senate of Victoria University the standing of students in courses leading to degrees in Divinity.
- (e) Subject to this Act and to the approval of the Board, to exercise direction, guidance and oversight of the work and life of the College and to make such rules and regulations as may from time to time be required for the good of the College.
- (f) To appoint to the Senate of the University of Toronto and to the Council of the Faculty of Arts such representatives as *The University of Toronto Act, 1947* may authorize.
- (g) To determine, subject to the final ratification of the Senate of Victoria University and of the Board what schools or colleges, if any, of The United Church of Canada, whose purpose is to train students for Christian service, may become affiliated with the College and the terms of such affiliation.
- (h) To consider and report to the Board and to the Senate, or to either of them, upon any matters affecting the College as to the Council may seem meet.

Caput.

**16.**—(1) There shall be a committee to be called the Caput which shall be composed of the President, the Principal of Victoria College and the Principal of Emmanuel College.

(2) Subject to *The University of Toronto Act, 1947*, the Caput shall have disciplinary jurisdiction over the conduct of the students of Victoria University and its Colleges. Disciplinary jurisdiction shall include the power to impose fines and to suspend or expel students from membership in Victoria University and to exclude students from any or all of the privileges of membership in Victoria University either temporarily or permanently. For the purposes of subsection 3 of section 79 of *The University of Toronto Act, 1947*, the Caput shall be deemed to be a council to which the Caput of the University of Toronto may delegate its authority.

Powers of  
Caput.  
1947, c. 112.

**17.** The affiliation of Albert College with Victoria University is hereby continued.

Affiliation  
of Albert  
College.

**18.—(1)** The Board, the Senate, the Council of Victoria College, the Council of Emmanuel College, the Caput, all as at present constituted are hereby continued until changed in furtherance of the provisions of this Act with all the powers and authorities conferred upon them respectively by this Act.

Continua-  
tion of  
present  
Board,  
Senate, etc.

(2) The President of Victoria University, the Deans of Victoria and Emmanuel Colleges, the Registrar, the Librarian, the Bursar and all members of the teaching staff of both Colleges and other officers, servants and employees of Victoria University or either of its Colleges are hereby continued in their respective engagements, provided that the Deans of Victoria and Emmanuel Colleges shall from the coming into force of this Act be known as Principals.

Continua-  
tion of  
present  
officers, etc.

**19.** *The Victoria University Act, 1928* and *The Victoria University Act, 1944* are repealed.

1928, c. 105,  
1944, c. 86,  
repealed,

**20.** This Act shall come into force on the day it receives the Royal Assent.

Commence-  
ment.

**21.** This Act may be cited as *The Victoria University Act, 1951*.

Short title.

1910

1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

Admission - \$5  
Children under 10 - \$2  
Students - \$3  
Seniors - \$4

Box Office - 1st Floor  
Ticket Booth - 1st Floor  
Concessions - 1st Floor  
Restrooms - 1st Floor  
Gift Shop - 1st Floor  
First Aid - 1st Floor  
Lost & Found - 1st Floor  
Security - 1st Floor  
Maintenance - 1st Floor  
Catering - 1st Floor  
Event Staff - 1st Floor  
Volunteers - 1st Floor  
Sponsors - 1st Floor  
Media - 1st Floor  
Press Box - 1st Floor  
VIP Lounge - 1st Floor  
Green Room - 1st Floor  
Backstage - 1st Floor  
Stage - 1st Floor  
Orchestra Pit - 1st Floor  
Audience - 1st Floor



BILL  
An Act respecting Victoria University

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. ALLEN

(*Private Bill*)



No. 31

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting Victoria University

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MR. ALLEN

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TORONTO

PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1941

11. 12. 13

100

# BILL

## An Act respecting Victoria University

**W**HEREAS The Board of Regents of Victoria University Preamble.  
by its petition has represented that it is desirable that  
*The Victoria University Act, 1944* be re-enacted with certain 1944, c. 86.  
amendments respecting the management of the said University; and whereas it is expedient to grant the prayer of the petition,

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpretation.

- (a) "Board" means The Board of Regents of Victoria University;
- (b) "faculty" means the president and all the permanent members of the staff of Victoria or Emmanuel Colleges engaged in teaching;
- (c) "graduates" means the graduates of Victoria University before federation with the University of Toronto and the graduates of the University of Toronto after federation who were enrolled in Victoria University at the time of their graduation;
- (d) "alumni of Emmanuel College" means:
  - (i) All those who have received a degree in Divinity from Victoria University, or who have received a degree in Divinity from Knox College previous to May 1, 1927, and who were connected with The United Church of Canada on August 1, 1928, or who within five years from that date elected to become alumni of Emmanuel College.

- (ii) All those who have completed a regular course in Theology prescribed for ordination to the ministry in Emmanuel College, or in the Faculty of Theology of Victoria University, or in Union Theological College.
- (iii) All those who previous to May 1, 1927, completed in Knox College a regular course prescribed for ordination to the ministry, and who were connected with The United Church of Canada on August 1, 1928, or who within five years from that date elected to become alumni of Emmanuel College.
- (iv) All ministers of The United Church of Canada who have completed one full year in Theology in Emmanuel College, or in the Faculty of Theology of Victoria University, or in Union Theological College, or prior to May 1, 1927, in Knox College.

Royal  
Charter.

**2.** The Royal Charter granted in the seventh year of the reign of His late Majesty King William the Fourth incorporating the Upper Canada Academy is hereby declared always to have been in full force and effect from the date thereof, notwithstanding anything to the contrary in any legislative enactment or otherwise and it shall remain in full force and effect.

Victoria  
University  
continued.

**3.** Victoria University as established by the said Royal Charter and by Acts of the Legislature of the late Province of Canada and of the Province of Ontario is hereby declared always since the date of the Royal Charter granted in the seventh year of the reign of His late Majesty King William the Fourth to have had continuous existence, notwithstanding anything to the contrary in any legislative enactment or otherwise and it is hereby continued and shall continue as a body corporate to be called and known as Victoria University.

The Board  
of Regents.

**4.—(1)** The said Victoria University shall be under the management and administration of "The Board of Regents of Victoria University" which is hereby continued as a body corporate under that name.

Constitution  
of Board.

**(2)** The Board shall consist of forty-three members to be elected or appointed as set out in the following sections. These members shall hold office until their successors are elected or appointed as follows:

- (a) Twenty-two members by vote of the General Council of The United Church of Canada appointed every two years.

- (b) Four *ex officio* members, being the Chancellor of Victoria University, the President of Victoria University, the Principal of Victoria College and the Principal of Emmanuel College.
- (c) Eight members by vote of the graduates in Arts, Medicine, Science and Law of Victoria University every four years.
- (d) Five members by vote of the alumni of Emmanuel College every four years.
- (e) Four members to be elected by the before-mentioned thirty-nine members according to the regulations which may be made from time to time by the Board.

(3) If a vacancy occurs in the Board from among the <sup>Vacancies.</sup> members elected by the General Council of The United Church of Canada, such vacancy shall be filled by the executive committee of the said General Council. If a vacancy occurs from among the other members of the Board, the vacancy shall be filled by the Board, but in the case of a vacancy from among the members elected by the graduates or by the alumni, the Board shall appoint a graduate or alumnus, as the case may be, to fill the vacancy.

5.—(1) The Board shall have in addition to the powers, <sup>Power to hold land.</sup> rights and privileges mentioned in section 27 of *The Interpretation Act* <sup>Rev. Stat., c. 184.</sup> power to purchase, acquire, take and hold by gift, devise or otherwise real and personal property for the purpose of the University without licence in mortmain and may grant, sell, mortgage, lease and otherwise dispose of the same or any part thereof.

(2) The real and personal property vested in the Board <sup>Exemption from taxation.</sup> and any lands and premises leased to or occupied by the Board shall not be liable to taxation for provincial, municipal or school purposes, and shall be exempt from every description of taxation; but except as mentioned in subsection 3 and unless otherwise by law exempt, the interest of every lessee under a lease from the Board and every occupant other than the Board of real property vested in the Board shall be liable to taxation.

(3) The liability to taxation of the interest of a lessee or <sup>idem.</sup> occupant mentioned in this section shall not extend to the interest of a lessee or occupant being a member of the teaching staff or an officer or servant of Victoria University who, or being an association of undergraduates or an incorporated society of undergraduates or of graduates and undergraduates which, is the lessee or occupant of any part of the property

commonly known as the University Park, composed of the north halves of park lots numbers eleven, twelve and thirteen in the first concession from the Bay, in the Township of York, now in the City of Toronto, and including that part of park lot number fourteen in the first concession, described in a conveyance to Her late Majesty Queen Victoria, registered as number 8654R in the registry office for the Registry Division of the City of Toronto, but the interest of every such lessee or occupant shall be exempt from taxation.

Vesting of  
property.

**6.** All real and personal property now vested in Victoria University or in The Board of Regents of Victoria University shall be and it is hereby vested in the Board.

Duties  
of Board.

**7.** The Board shall,

- (a) make such regulations as may be necessary or advisable for the holding of nominations and elections for membership on the Board;
- (b) keep proper books of account of the financial affairs of Victoria University;
- (c) present an annual report of the life and work of the University and its Colleges, accompanied by a duly audited financial statement, to The United Church of Canada.

Powers of  
Board.

**8.** The Board shall have power:

- (a) To elect its own Chairman, Vice-Chairman, Treasurer and Secretary; to prescribe their respective duties, powers and authority, and to determine the tenure of each such office. Should a vacancy in any office occur at any time, the Board shall, at its next meeting, elect a new occupant of such office. The Secretary may or may not be a member of the Board.
- (b) To make by-laws, rules and regulations,
  - (i) pertaining to the meetings of the Board and its transactions, for fixing the quorum of the Board and for the appointment of such committees as it may deem necessary, and for conferring on any such committees power and authority to act for the Board in and in relation to such matters as the Board may deem it expedient to delegate to a committee with power to act for the Board, and

- (ii) in respect of all such matters and things as may seem necessary or advisable for the welfare, advancement and good government of Victoria University which are not contrary to this Act or are not by this Act assigned to any other body.
- (c) To appoint a Chancellor, a President (who shall also be Vice-Chancellor), and a Registrar of Victoria University, a Principal of Victoria College, a Principal of Emmanuel College, a Bursar, a Librarian, professors, lecturers, instructors, tutors, and all officers, agents and servants of the University and its Colleges and to remove the same and to determine their salaries, duties and tenure of office which, unless otherwise provided, shall be at the pleasure of the Board, provided, however, that the members of the Faculty of Emmanuel College shall be appointed or removed only by a majority vote of the members of the Board and also by a majority vote of those members of the Board elected by the General Council of The United Church of Canada present at a meeting duly called for the purpose. The appointment of the Principal and professors of Emmanuel College shall be subject to confirmation by the General Council of The United Church of Canada or by a duly authorized board or committee of the General Council.
- (d) In case of vacancy in the office of President or of the absence, illness or other incapacity of the President, to appoint a Head of Victoria University for all the purposes of and with all the powers and authorities contemplated by *The University of Toronto Act*, 1947, c. 112 1947.
- (e) To make regulations respecting and providing for the retirement and superannuation of any of the persons mentioned in clause c or the payment of a gratuity to any of them upon retirement and to provide that any superannuation or retiring allowance or gratuity shall be paid out of a fund which may be created for that purpose either with the money of the Board or from contributions from such persons or partly by both or in whole or in part from the general funds of Victoria University.
- (f) Subject to the limitations imposed by any trust as to the same, to invest all such money as shall come to the hands of the Board and is not required

to be expended for any purpose to which it lawfully may be applied, in such manner as to the Board may seem meet.

- (g) To lay out and expend such sums as the Board may deem necessary for the erection, furnishing, maintenance and equipment of such buildings as are or may be deemed necessary for the purposes of Victoria University or the students thereof; provided, however, that the Senate and the Council of the College concerned shall be invited to inspect all plans of buildings and may make suggestions with regard thereto, and that before any such suggestions are rejected there be consultation between the Senate and the Board.
- (h) To exercise all the powers for establishing faculties, departments, chairs and courses of instructions in Victoria University and its Colleges as have been conferred on Victoria University or the Board or Senate thereof by the said Royal Charter or by any Act of the Legislature of the late Province of Canada or of the Province of Ontario.
- (i) To receive and administer all gifts, legacies, devises, grants, subscriptions or donations for Victoria University and its Colleges subject to the powers of the Senate under clause e of section 10.
- (j) To impose tuition and other fees on the students of Victoria University.

**The Senate.** 9.—(1) There shall be a Senate of Victoria University which shall consist of the following:

The Chancellor;

The Vice-Chancellor;

Six members of the Board appointed by the Board from their number;

All active members of the permanent teaching staff of Victoria College and Emmanuel College;

All retired members of the permanent teaching staff of Victoria College and Emmanuel College who had attained the rank of a full professor;

Ten representatives elected every four years by the graduates of the faculties of Arts, Medicine, Science and Law of Victoria University;



Six representatives elected every four years by the alumni of Emmanuel College;

Two representatives appointed by Albert College.

(2) The said members of the Senate shall hold office until their successors are elected.

**10.** The Senate shall have power,

Powers of  
Senate.

- (a) To provide for the regulation and conduct of its proceedings including the determination of the quorum necessary for the transaction of business.
- (b) Subject to *The University of Toronto Act, 1947*, to 1947, c. 112. provide for the granting of and to grant degrees, including honorary degrees in the several colleges and faculties which are or may from time to time be established and to determine the courses of study and qualifications for degrees.
- (c) To make such regulations as may be deemed necessary and proper for the nomination and election of members to the Senate.
- (d) To make regulations and deal with all such matters of a strictly educational nature as have not in this Act been assigned to either of the Colleges.
- (e) To provide for the establishment of fellowships, scholarships, bursaries, exhibitions, medals, prizes and other awards.
- (f) To summon and provide for the holding of Convocation, for the conferring of degrees and for such other purposes as may be determined by the Senate.
- (g) To appoint such representative or representatives of Victoria University on the Senate of the University of Toronto as *The University of Toronto Act, 1947* may authorize, provided, however, that no person who is a member of the Council of Emmanuel College shall be entitled to vote on any such appointment.
- (h) To deal with such other matters and affairs as may from time to time be committed to it by the Board.

**11.**—(1) The Chancellor shall preside at the meetings of the Senate and of Convocation of Victoria University and shall confer degrees. Duties of  
officers.

Idem. (2) The Vice-Chancellor shall, in the absence of the Chancellor, preside at the meetings of the Senate and of Convocation of Victoria University and confer degrees.

Idem. (3) The President shall be charged with the general oversight of the University as a whole. He shall be the Head of Victoria University within the meaning of clause *a* of section 1947, c. 112. 42 of *The University of Toronto Act, 1947* and shall be the Chief Administrative Officer of the Board.

Idem. (4) The Principal of each College shall have general supervision of the life and work of his College and shall be Chairman and Chief Administrative Officer of the Council of his College. The Principal of Emmanuel College shall be the Head of Emmanuel College within the meaning of clause *a* of section 42 of *The University of Toronto Act, 1947*.

Idem. (5) The Registrar shall be the Secretary of the Senate and shall keep all records and papers of the Senate including lists of all graduates and alumni including holders of diplomas and certificates, the records of all examination results and the standing of all students in each College. He shall register the students in each of the Colleges under the authority of the Councils. He shall also conduct the elections of the representatives of the graduates and alumni on the Board and on the Senate of Victoria University. The Registrar shall also perform such other duties as may be assigned to him by the Senate or the Board.

Idem. (6) Each of the above officers shall also perform such other duties and functions as may be assigned to him by the Board and shall in all matters pertaining to his office act under the direction and control of the Board.

Victoria  
College.

**12.** The Faculty of Arts formerly established in Victoria University and known as Victoria College in the University of Toronto is hereby continued and shall also be known as Victoria College of Victoria University.

Council  
of Victoria  
College.

**13.—(1)** There shall be a Council of Victoria College which shall consist of the President of Victoria University, the Principal of Victoria College, the Registrar of Victoria University, the Librarian of Victoria University, and all active members of the permanent teaching staff of Victoria College, together with one professor in the Department of Religious Knowledge chosen by the Faculty of Emmanuel College.

Powers and  
duties of  
Council.

(2) The Council of Victoria College shall have the following powers and duties:

- (a) To make rules and regulations for governing its own proceedings, including the determining of the quorum necessary for the transaction of business.
- (b) Subject to the provisions of this Act and of *The University of Toronto Act, 1947* and to the approval of the Board, to prescribe and regulate the courses of study, to exercise direction, guidance and oversight of the work and life of the College; and to make such rules and regulations as may from time to time be required for the good of the College.
- (c) To transact such business as may arise that concerns the Council as a whole.
- (d) To determine what students, possessing the academic qualifications prescribed from time to time by the Senate of the University of Toronto shall be enrolled in Victoria College; and to deal with and decide upon all applications, petitions and memorials presented to them from any source and upon which the action of the College is required.
- (e) To conduct all examinations held by Victoria College.
- (f) To appoint such representatives to the Senate of the University of Toronto as *The University of Toronto Act, 1947* may authorize, of whom one shall be the Principal of Victoria College.
- (g) To consider and report to the Board and to the Senate or to either of them upon such matters affecting Victoria College as to the Council may seem meet.

**14.** The Faculty of Theology, formerly established in Victoria University and which was united with Union Theological College to form Emmanuel College, is hereby continued and shall be known as Emmanuel College of Victoria University.

**15.—(1)** There shall be a Council of Emmanuel College which shall consist of the President of Victoria University, the Principal of Emmanuel College, the Registrar of Victoria University, the Librarian of Victoria University, all active members of the permanent teaching staff of Emmanuel College, the six members elected by the alumni of Emmanuel College as members of the Senate of Victoria University, and the five members elected by the alumni of Emmanuel College to be members of the Board.

Powers and  
duties of  
Council.

(2) The Council of Emmanuel College shall have the following powers and duties:

- (a) To determine the theological curriculum in harmony with the general principles laid down by the General Council of The United Church of Canada.
- (b) To prepare courses of study for degrees in Divinity and submit the same to the Senate of Victoria University for its approval.
- (c) To determine what students shall be enrolled in Emmanuel College; and to deal with and decide upon all applications, petitions and memorials presented to them from any source.
- (d) To arrange for the teaching and examining of the students and to grant diplomas, certify to presbytery the students who have completed their course of study for ordination, and report to the Senate of Victoria University the standing of students in courses leading to degrees in Divinity.
- (e) Subject to this Act and to the approval of the Board, to exercise direction, guidance and oversight of the work and life of the College and to make such rules and regulations as may from time to time be required for the good of the College.
- (f) To appoint to the Senate of the University of Toronto and to the Council of the Faculty of Arts such representatives as *The University of Toronto Act, 1947* may authorize.
- (g) To determine, subject to the final ratification of the Senate of Victoria University and of the Board what schools or colleges, if any, of The United Church of Canada, whose purpose is to train students for Christian service, may become affiliated with the College and the terms of such affiliation.
- (h) To consider and report to the Board and to the Senate, or to either of them, upon any matters affecting the College as to the Council may seem meet.

Caput.

**16.**—(1) There shall be a committee to be called the Caput which shall be composed of the President, the Principal of Victoria College and the Principal of Emmanuel College.

(2) Subject to *The University of Toronto Act, 1947*, the Powers of Caput shall have disciplinary jurisdiction over the conduct of the students of Victoria University and its Colleges. 1947, c. 112. Disciplinary jurisdiction shall include the power to impose fines and to suspend or expel students from membership in Victoria University and to exclude students from any or all of the privileges of membership in Victoria University either temporarily or permanently. For the purposes of subsection 3 of section 79 of *The University of Toronto Act, 1947*, the Caput shall be deemed to be a council to which the Caput of the University of Toronto may delegate its authority.

**17.** The affiliation of Albert College with Victoria University is hereby continued. Affiliation of Albert College.

**18.—(1)** The Board, the Senate, the Council of Victoria College, the Council of Emmanuel College, the Caput, all as at present constituted are hereby continued until changed in furtherance of the provisions of this Act with all the powers and authorities conferred upon them respectively by this Act. Continuation of present Board, Senate, etc.

(2) The President of Victoria University, the Deans of Victoria and Emmanuel Colleges, the Registrar, the Librarian, the Bursar and all members of the teaching staff of both Colleges and other officers, servants and employees of Victoria University or either of its Colleges are hereby continued in their respective engagements, provided that the Deans of Victoria and Emmanuel Colleges shall from the coming into force of this Act be known as Principals. Continuation of present officers, etc.

**19.** *The Victoria University Act, 1928* and *The Victoria University Act, 1944* are repealed. 1928, c. 105, 1944, c. 86, repealed.

**20.** This Act shall come into force on the day it receives the Royal Assent. Commencement.

**21.** This Act may be cited as *The Victoria University Act, 1951*. Short title.





## BILL

An Act respecting Victoria University

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*1st Reading*

February 13th, 1951

*2nd Reading*

March 12th, 1951

*3rd Reading*

March 14th, 1951

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MR. ALLEN

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1951



No. 32

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the Town of Elmira

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MR. BROWN

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(PRIVATE BILL)

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THE  
JOURNAL  
OF  
THE  
ROYAL  
ANTHROPOLOGICAL  
INSTITUTE

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# BILL

## An Act respecting the Town of Elmira

**W**HEREAS the Corporation of the Town of Elmira Preamble. by its petition has represented that the Town has for many years formed a portion of the County of Waterloo and is desirous of withdrawing from the County and becoming a separated municipality; and whereas the Town has notified the council of the County of its intention to apply for the withdrawal of the Town from the jurisdiction of the County; and whereas the council of the Town on the 4th day of December, 1950, did submit for the opinion of the electors of the Town the question "Are you in favour of the Town of Elmira withdrawing from the County of Waterloo and becoming a separated municipality?", upon which question 798 of the electors voted in the affirmative and 47 voted in the negative, and by reason thereof the petitioner has prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpreta-  
tion.

(a) "Town" means the Town of Elmira;

(b) "County" means the County of Waterloo.

**2. On and after the 1st day of January, 1952, the Town** Town  
withdrawn  
from  
County. shall be withdrawn and for municipal purposes shall be separated from the County.

**3. On and after the 1st day of January, 1952, the costs and** Liability  
of Town  
re court  
house, etc.  
Rev. Stat.,  
c. 243. expenses of the County court house and jail and of all other matters and things set forth in section 373 of *The Municipal Act* shall be borne and paid as between the County and the Town as provided in that Act.

Application  
of Rev. Stat.,  
c. 243.

**4.** The provisions of *The Municipal Act* in relation to matters consequent upon the formation of a new corporation and as to the adjustment of assets and liabilities as between the corporation of a county and the corporation of a town, not being a separated town, which is erected into a city, shall apply as between the County and the Town except that subsection 6 of section 36 of that Act shall be deemed not to apply.

Town  
council.

**5.**—(1) After the year 1951 the council of the Town shall be composed of a mayor and six councillors, and shall be elected in the manner provided in *The Municipal Act* for the council of a town in a county, except there shall be no reeve or deputy reeve.

Election  
of 1952  
council.

(2) The election of the council of the Town for the year 1952 and all proceedings incidental thereto shall be held in the manner provided for in the by-laws of the Town in effect on the 1st day of November, 1951, except that no reeve or deputy reeve shall be elected for 1952.

Commence-  
ment.

**6.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**7.** This Act may be cited as *The Town of Elmira Act, 1951*.



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1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

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BILL

An Act respecting the Town of Elmira

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*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. BROWN

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(*Private Bill*)



No. 33

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of St. Catharines

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MR. HOUCK

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(PRIVATE BILL)

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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# BILL

## An Act respecting the City of St. Catharines

**W**HEREAS the Corporation of the City of St. Catharines Preamble.  
by its petition has prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** The council of the Corporation of the City of St. Catharines, with the consent of the council of the Corporation of the Township of Grantham, may exercise, in the Township of Grantham, the powers given to it by paragraph 63 of subsection 1 of section 388 of *The Municipal Act*. Industrial sites in Grantham Township. Rev. Stat., c. 243.

**2.—(1)** The council of the Corporation of the City of St. Catharines may, without submitting the same to a vote of the electors qualified to vote on money by-laws, but subject to the approval of the Ontario Municipal Board, pass by-laws, Railway sidings;

- (a) for acquiring, by expropriation or otherwise, lands to provide rights-of-way for railway sidings in the City of St. Catharines or in the Township of Grantham to serve any industrial area;
- (b) for authorizing an expenditure from time to time of such moneys as may be required to provide such rights-of-way for railway sidings, and to provide for the constructing and maintaining of such railway sidings;
- (c) for issuing debentures, for any such purpose, for any term not exceeding twenty years.

**(2)** Any railway sidings, or part thereof, established under the authority of this section may be sold or leased, or the right to use the same or any part thereof may be granted, sale or lease of,

for such price, rental or compensation as may be approved by the Department of Municipal Affairs.

Lands  
heretofore  
acquired.

**3.** Any lands heretofore acquired, used, held or disposed of by the Corporation of the City of St. Catharines, or by Herbert Harcourt Smith, clerk of the said Corporation, in trust, for any such purpose, shall be deemed to have been acquired, used, held or disposed of under the authority of paragraph 63 of subsection 1 of section 388 of *The Municipal Act*.

Taxation.

Rev. Stat.,  
c. 24.

**4.** Any land heretofore or hereafter acquired in the Township of Grantham for any purpose set out in section 1 or 2 shall be liable, notwithstanding anything in *The Assessment Act*, to assessment and taxation in the same manner and to the same extent as it would be if not owned by the Corporation of the City of St. Catharines.

Commence-  
ment.

**5.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**6.** This Act may be cited as *The City of St. Catharines Act, 1951*.



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BILL

An Act respecting the City of  
St. Catharines

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*1st Reading*

*2nd Reading*

*3rd Reading*

---

MR. HOUCK

---

(*Private Bill*)



3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting the City of St. Catharines

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MR. HOUCK

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TORONTO

PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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# BILL

## An Act respecting the City of St. Catharines

**W**HEREAS the Corporation of the City of St. Catharines Preamble.  
by its petition has prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. The council of the Corporation of the City of St. Cath- Industrial  
arines, with the consent of the council of the Corporation of sites in -  
the Township of Grantham, may exercise, in the Township Grantham  
of Grantham, the powers given to it by paragraph 63 of Township.  
subsection 1 of section 388 of *The Municipal Act*.

Rev. Stat.,  
c. 243.

2.—(1) The council of the Corporation of the City of Railway  
St. Catharines may, without submitting the same to a vote sidings;  
of the electors qualified to vote on money by-laws, but subject  
to the approval of the Ontario Municipal Board, pass by-laws,

- (a) for acquiring, by expropriation or otherwise, lands  
to provide rights-of-way for railway sidings in the  
City of St. Catharines or in the Township of Gran-  
tham to serve any industrial area;
- (b) for authorizing an expenditure from time to time  
of such moneys as may be required to provide such  
rights-of-way for railway sidings, and to provide for  
the constructing and maintaining of such railway  
sidings;
- (c) for issuing debentures, for any such purpose, for  
any term not exceeding twenty years.

(2) Any railway sidings, or part thereof, established under sale or  
the authority of this section may be sold or leased, or the lease of.  
right to use the same or any part thereof may be granted,

for such price, rental or compensation as may be approved by the Department of Municipal Affairs.

Lands  
heretofore  
acquired.

**3.** Any lands heretofore acquired, used, held or disposed of by the Corporation of the City of St. Catharines, or by Herbert Harcourt Smith, clerk of the said Corporation, in trust, for any such purpose, shall be deemed to have been acquired, used, held or disposed of under the authority of paragraph 63 of subsection 1 of section 388 of *The Municipal Act*.

Taxation.

Rev. Stat.,  
c. 24:

**4.** Any land heretofore or hereafter acquired in the Township of Grantham for any purpose set out in section 1 or 2 shall be liable, notwithstanding anything in *The Assessment Act*, to assessment and taxation in the same manner and to the same extent as it would be if not owned by the Corporation of the City of St. Catharines.

Commence-  
ment.

**5.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**6.** This Act may be cited as *The City of St. Catharines Act, 1951*.



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BILL

An Act respecting the City of  
St. Catharines

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*1st Reading*

February 13th, 1951

*2nd Reading*

March 2nd, 1951

*3rd Reading*

March 6th, 1951

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MR. HOUCK

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1951

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No. 34

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Assessment Act**

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MR. SALSBERG

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1. 11. 01



1. 11. 01

1. 11. 01



1. 11. 01



1. 11. 01

# BILL

## An Act to amend The Assessment Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *d* of subsection 1 of section 6 of *The Assessment Act* is repealed and the following substituted therefor: Rev. Stat., c. 24, s. 6, subs. 1, cl. d, re-enacted.

(*d*) Every person carrying on the business of selling or distributing goods, wares and merchandise at retail,

(i) through mail order premises, or

(ii) through a chain of more than five retail order offices in Ontario, directly or indirectly, owned, controlled or operated by him, or

(iii) through a chain of more than five retail stores or shops in Ontario, directly or indirectly, owned, controlled or operated by him,

for a sum equal to fifty per cent of the assessed value.

**2.** This Act shall be deemed to have come into force on the 1st day of January, 1951. Commencement.

**3.** This Act may be cited as *The Assessment Amendment Act, 1951*. Short title.

BILL

An Act to amend The Assessment Act

*1st Reading*

March 7th, 1951

*2nd Reading*

*3rd Reading*

MR. SALSBERG

No. 35

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to confirm the Revised Statutes of Ontario, 1950

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MR. PORTER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTE

An Act of this nature is customarily passed following a general revision of the Statutes.

# BILL

## An Act to confirm the Revised Statutes of Ontario, 1950

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Revised Statutes of Ontario, 1950, as printed by the King's Printer, shall be deemed to have come into force and to have had effect as law on the 31st day of December, 1950, in accordance with the Proclamation of the Lieutenant-Governor made under the authority of section 6 of *The Statutes Consolidation Act, 1949* and dated the 9th day of November, 1950. R.S.O. 1950 confirmed. 1949, c. 96.

**2.** The enactments mentioned in Schedule A appended to the Revised Statutes of Ontario, 1950 shall be deemed to have been repealed on the 31st day of December, 1950, to the extent mentioned in the third column of the said Schedule in accordance with subsection 2 of section 6 of *The Statutes Consolidation Act, 1949*. Repeal of certain enactments confirmed.

**3.** The Legislature shall not, by reason of the passing of this Act, be deemed to have adopted the construction which, by judicial decision or otherwise, may have been placed upon the language of any Act in the Revised Statutes of Ontario, 1950, or upon similar language. Judicial interpretation.

**4.** Nothing in this Act shall be deemed to affect the operation of subsection 2 of section 5 of *The Statutes Consolidation Act, 1949* or of sections 7 to 11 of that Act. Saving.

**5.** This Act may be cited as *The Revised Statutes Confirmation Act, 1951*. Short title.

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BILL

An Act to confirm the Revised Statutes of  
Ontario, 1950

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*1st Reading*

February 1st, 1951

*2nd Reading*

*3rd Reading*

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MR. PORTER

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to confirm the Revised Statutes of Ontario, 1950

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MR. PORTER

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11. 61

11. 62

11. 63

11. 64

11. 65

11. 66

11. 67

11. 68

11. 69

# BILL

## An Act to confirm the Revised Statutes of Ontario, 1950

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The Revised Statutes of Ontario, 1950, as printed by the King's Printer, shall be deemed to have come into force and to have had effect as law on the 31st day of December, 1950, in accordance with the Proclamation of the Lieutenant-Governor made under the authority of section 6 of *The Statutes Consolidation Act, 1949* and dated the 9th day of November, 1950. R.S.O. 1950 confirmed.

**2.** The enactments mentioned in Schedule A appended to the Revised Statutes of Ontario, 1950 shall be deemed to have been repealed on the 31st day of December, 1950, to the extent mentioned in the third column of the said Schedule in accordance with subsection 2 of section 6 of *The Statutes Consolidation Act, 1949*. Repeal of certain enactments confirmed.

**3.** The Legislature shall not, by reason of the passing of this Act, be deemed to have adopted the construction which, by judicial decision or otherwise, may have been placed upon the language of any Act in the Revised Statutes of Ontario, 1950, or upon similar language. Judicial interpretation.

**4.** Nothing in this Act shall be deemed to affect the operation of subsection 2 of section 5 of *The Statutes Consolidation Act, 1949* or of sections 7 to 11 of that Act. Saving.

**5.** This Act may be cited as *The Revised Statutes Confirmation Act, 1951*. Short title.

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BILL

An Act to confirm the Revised Statutes of  
Ontario, 1950

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*1st Reading*

February 1st, 1951

*2nd Reading*

February 5th, 1951

*3rd Reading*

February 15th, 1951

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MR. PORTER

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No. 36

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Hours of Work and Vacations with Pay Act**

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MR. THORNBERRY

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TORONTO

PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

SECTION 1. Maximum weekly hours of work are reduced to forty.

SECTION 2. A new section is added which

- (a) limits overtime to eight hours in a week and one hundred in a year;
- (b) requires payment at the rate of time and one-half for over-time;
- (c) provides that any reduction in hours of work effected by the Act shall not reduce the weekly pay;
- (d) protects contracts more favourable to the employee than the provision of the Act;
- (e) suspends contractual provisions less favourable to the employee than the provisions of the Act.

# BILL

## An Act to amend the Hours of Work and Vacations with Pay Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The Hours of Work and Vacations with Pay Act* is amended by striking out the word "forty-eight" in the third line and inserting in lieu thereof the word "forty". Rev. Stat., c. 173, s. 2, subs. 1, amended.

2. *The Hours of Work and Vacations with Pay Act* is amended by adding thereto the following section: Rev. Stat., c. 173, amended.

2a.—(1) No overtime shall be worked by an employee which exceeds eight hours in any one week or one hundred hours in any year of employment. Limitation of overtime worked.

(2) If any overtime is worked by any employee in excess of the working hours established by subsection 1 of section 2, such employee shall receive compensation at a rate not less than one and one-half times the regular rate at which he is employed. Overtime payment.

(3) Every employer shall increase the rate of compensation of his employees so that the total weekly rate of each employee for the reduced working week shall be not less than the total weekly rate paid at the time of such reduction. Same take-home pay.

(4) Nothing in this Act shall affect any provision of any Act, agreement or contract of service or any custom which ensures to employees more favourable conditions than those prescribed by this Act. More favourable conditions.

(5) Any provision in any Act, agreement or contract of service or any custom which is less favourable to employees than the provisions of this Act, shall be suspended by this Act. Less favourable conditions.

Rev. Stat.,  
c. 173, s. 5,  
repealed.

**3.** Section 5 of *The Hours of Work and Vacations with Pay Act* is repealed.

Rev. Stat.,  
c. 173, s. 10,  
cl. b,  
re-enacted.

**4.** Clause *b* of section 10 of *The Hours of Work and Vacations with Pay Act* is repealed and the following substituted therefor:

- (b) exempting from the provisions or any provision of this Act upon such terms and conditions as the Board may determine any of the employers or employees of any particular plant, upon application of the said employers or of any representative of employees for collective bargaining purposes after notice to the employer or representatives of the employees affected by such proposed exemption.

Rev. Stat.,  
c. 173, s. 13,  
repealed.

**5.** Section 13 of *The Hours of Work and Vacations with Pay Act* is repealed.

Short title.

**6.** This Act may be cited as *The Hours of Work and Vacations with Pay Amendment Act, 1951*.



SECTION 3. Section 5, which is repealed, makes special provision for war industries, and is now deemed to be obsolete.

SECTION 4. Clause *b* of section 10 of the Act is re-enacted to provide that when any exemption is applied for, both the employer and representatives of the employees must be notified.

SECTION 5. Section 13, which is repealed, deals with conflict between the Act and other Acts. The question is more fully dealt with in the new section 2*a*.





BILL

An Act to amend The Hours of Work and  
Vacations with Pay Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. THORNBERRY

No. 37

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Racing Commission Act

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MR. FROST

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

SECTION 1—Subsections 1 and 3. The scope of the present clause is broadened in order that the Commission will have adequate powers of investigation.

SECTION 1—Subsection 2; SECTION 2. The matters specified are transferred from the regulations section of the Act to the powers section so that the Commission may exercise these powers directly rather than by way of regulation.

# BILL

## An Act to amend The Racing Commission Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *c* of section 11 of *The Racing Commission Act* is repealed. Rev. Stat.,  
c. 329, s. 11,  
cl. *c*,  
repealed.

(2) The said section 11 is further amended by adding thereto the following clauses: Rev. Stat.,  
c. 329, s. 11,  
amended.

- (g) to license persons to operate race tracks at which horse racing in any of its forms is carried on;
- (h) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on, as the Commission may deem expedient;
- (i) to fix and collect fees or other charges for licences, prescribe the form thereof and the conditions under which they may be issued;
- (j) to suspend or revoke any licence for conduct which the Commission considers to be contrary to the public interest;
- (k) to require registration with the Commission of, and to register colours, assumed names, partnerships and contracts and such other matters and things as the Commission may deem expedient;
- (l) to fix and collect fees or other charges for registration under clause *k* and to prescribe the form thereof and the conditions under which registration may be made;
- (m) to make and promulgate rules for the conduct of horse racing in any of its forms;

- (n) to employ stewards, veterinarians, analysts and such other persons as the Commission may deem expedient to attend at race meetings on behalf of the Commission;
- (o) to require approval by the Commission of the appointment of race track officials and employees whose duties relate to the actual running of horse races and to compel the discharge for cause of any such official or employee;
- (p) to fix, impose and collect fines and other penalties for violation of or failure to comply with any requirement of the Commission under this Act; and
- (q) to require persons licensed to operate race tracks to keep books of account in a manner satisfactory to the Commission, and to inspect such books at any time.

Rev. Stat.,  
c. 329, s. 11,  
amended.

(3) The said section 11 is further amended by adding thereto the following subsection:

Inquiries.

- (2) Each member of the Commission shall have power to inquire into any matter connected with or affecting horse racing in any of its forms or the operation of race tracks at which any form of horse racing is carried on, and for the purposes of any such inquiry each member of the Commission shall have all the powers that may be conferred upon a commissioner appointed under *The Public Inquiries Act*.

Rev. Stat.,  
c. 308.

Rev. Stat.,  
c. 329, s. 14,  
amended.

2. Section 14 of *The Racing Commission Act* is amended by striking out all the words after the word "Act" in the third line, so that the section shall read as follows:

Regulations.

- 14. The Lieutenant-Governor in Council may make regulations with respect to any and all matters or things as may be deemed necessary for the carrying out of this Act.

Rev. Stat.,  
c. 329,  
amended.

3. *The Racing Commission Act* is amended by adding thereto the following section:

Racing rules,  
etc., to be  
administra-  
tive.

- 15. Rules for the conduct of horse racing may be promulgated by the Commission under this Act and any order or ruling issued or made by the Commission under this Act shall be deemed to be of an administrative and not of a legislative nature.

Commence-  
ment.

4. This Act shall come into force on the day it receives the Royal Assent.

Short title.

5. This Act may be cited as *The Racing Commission Amendment Act, 1951*.



SECTION 3. This section, which is new, will avoid the necessity of filing and publishing the voluminous racing rules pursuant to *The Regulations Act*.



1871

1872

1873

BILL

An Act to amend The Racing  
Commission Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

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MR. FROST

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1951

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Racing Commission Act

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MR. FROST

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# BILL

## An Act to amend The Racing Commission Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 11 of *The Racing Commission Act* is amended by adding thereto the following clauses: Rev. Stat.,  
c. 329, s.11,  
amended.

- (g) to license persons to operate race tracks at which horse racing in any of its forms is carried on;
- (h) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on, as the Commission may deem expedient;
- (i) to fix and collect fees or other charges for licences, prescribe the form thereof and the conditions under which they may be issued;
- (j) to suspend or revoke any licence for conduct which the Commission considers to be contrary to the public interest;
- (k) to require registration with the Commission of, and to register colours, assumed names, partnerships and contracts and such other matters and things as the Commission may deem expedient;
- (l) to fix and collect fees or other charges for registration under clause *k* and to prescribe the form thereof and the conditions under which registration may be made;
- (m) to make and promulgate rules for the conduct of horse racing in any of its forms;
- (n) to employ stewards, veterinarians, analysts and such other persons as the Commission may deem expedient to attend at race meetings on behalf of the Commission;

- (o) to require approval by the Commission of the appointment of race track officials and employees whose duties relate to the actual running of horse races and to compel the discharge for cause of any such official or employee;
- (p) to fix, impose and collect fines and other penalties for violation of or failure to comply with any requirement of the Commission under this Act; and
- (q) to require persons licensed to operate race tracks to keep books of account in a manner satisfactory to the Commission, and to inspect such books at any time.

Rev. Stat.,  
c. 329, s. 14,  
amended.

**2.** Section 14 of *The Racing Commission Act* is amended by striking out all the words after the word "Act" in the third line, so that the section shall read as follows:

Regulations.

- 14. The Lieutenant-Governor in Council may make regulations with respect to any and all matters or things as may be deemed necessary for the carrying out of this Act.

Rev. Stat.,  
c. 329,  
amended.

**3.** *The Racing Commission Act* is amended by adding thereto the following section:

Racing rules,  
etc., to be  
administra-  
tive.

- 15. Rules for the conduct of horse racing may be promulgated by the Commission under this Act and any order or ruling issued or made by the Commission under this Act shall be deemed to be of an administrative and not of a legislative nature.

Commence-  
ment.

**4.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**5.** This Act may be cited as *The Racing Commission Amendment Act, 1951*.



1/11/19

1/11/19

1/11/19



1841

1842

1843

N. 37

BILL

An Act to amend The Racing  
Commission Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 6th, 1951

*3rd Reading*

March 21st, 1951

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MR. FROST

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No. 38

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The County Judges Act

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MR. PORTER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

SECTION 1. The re-enacted section 4 will enable two junior judges to be appointed to the county court of the County of Wentworth. Under the present section the county is restricted to one junior judge.

SECTION 2. Section 18 is re-enacted in order to enable more than one shorthand writer to be appointed for a county or district and to bring the administrative aspects of the section up to date.

# BILL

## An Act to amend The County Judges Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The County Judges Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 76, s. 4,  
re-enacted.

4.—(1) A junior judge may be appointed for each of the counties of Carleton and Middlesex and for each of the districts of Sudbury and Thunder Bay. Junior  
judges.

(2) Two junior judges may be appointed for each of the counties of Essex and Wentworth. Idem.

2. Section 18 of *The County Judges Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 76, s. 18,  
re-enacted.

18.—(1) The Lieutenant-Governor in Council may appoint one or more shorthand writers for the local courts of any county or provisional judicial district, and where more than one is appointed for a county or provisional judicial district, the Lieutenant-Governor in Council may designate one of them as the senior shorthand writer. Shorthand  
writers,  
appoint-  
ment.

(2) Every shorthand writer shall be under the direction of the judge, or in his absence, of the junior judge or judges of the county or district for the local court of which he is appointed, and where a senior shorthand writer is designated, the other shorthand writer or writers shall also be subject to the direction of the senior shorthand writer. Direction.

(3) Every shorthand writer shall be entitled to such remuneration as the Lieutenant-Governor in Council may prescribe. Remunera-  
tion.

Fees for  
transcripts.

- (4) Every shorthand writer who is appointed at a salary shall nevertheless be entitled to take for his own use fees for transcriptions of shorthand notes unless he is expressly prohibited from so doing by the terms of his appointment.

Idem.

- (5) Where a shorthand writer is appointed at a salary and is expressly prohibited from taking fees for his own use for transcriptions of shorthand notes, he shall collect the fees for such transcriptions and pay them over to the treasurer of the county.

Fees.

- (6) The Lieutenant-Governor in Council may prescribe fees for shorthand writers.

Status.

- (7) Every shorthand writer appointed at a salary for the local courts of a county shall be deemed an employee of the county for the purposes of *The Workmen's Compensation Act* and of any municipal superannuation, group insurance or sick leave credit plan.

Rev. Stat.,  
c. 430.

Contribution.

- (8) The local municipalities not forming part of a county for judicial purposes shall pay to the county such proper proportion of the cost of the shorthand writer or writers appointed for the local courts of the county as may be mutually agreed upon, or failing agreement, as may be determined by arbitration.

Arbitration.

- (9) For the purposes of an arbitration under subsection 8, the judge of the county court shall be sole arbitrator unless he requests a junior judge of the county court or the judge or a junior judge of some other county court to act for him, in which case such other judge shall be sole arbitrator.

Procedure.  
Rev. Stat.,  
c. 244.

- (10) The provisions of *The Municipal Arbitrations Act* as to procedure and appeals shall apply to arbitrations held and awards made under subsection 8.

Commence-  
ment.

3. This Act shall come into force on the 1st day of April, 1951.

Short title.

4. This Act may be cited as *The County Judges Amendment Act, 1951*.



11/11/11

11/11/11

11/11/11



PLATE 1

PLATE 2

PLATE 3

BILL

An Act to amend The County  
Judges Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. PORTER

1951

No. 38

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The County Judges Act

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MR. PORTER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act to amend The County Judges Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The County Judges Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 76, s. 4,  
re-enacted.

4.—(1) A junior judge may be appointed for each of the counties of Carleton and Middlesex and for each of the districts of Sudbury and Thunder Bay. Junior  
Judges.

(2) Two junior judges may be appointed for each of the counties of Essex and Wentworth. Idem.

2. Section 18 of *The County Judges Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 76, s. 18,  
re-enacted.

18.—(1) The Lieutenant-Governor in Council may appoint one or more shorthand writers for the local courts of any county or provisional judicial district, and where more than one is appointed for a county or provisional judicial district, the Lieutenant-Governor in Council may designate one of them as the senior shorthand writer. Shorthand  
writers,  
appoint-  
ment.

(2) Every shorthand writer shall be under the direction of the judge, or in his absence, of the junior judge or judges of the county or district for the local court of which he is appointed, and where a senior shorthand writer is designated, the other shorthand writer or writers shall also be subject to the direction of the senior shorthand writer. Direction.

(3) Every shorthand writer shall be entitled to such remuneration as the Lieutenant-Governor in Council may prescribe. Remunera-  
tion.

Fees for  
transcripts.

- (4) Every shorthand writer who is appointed at a salary shall nevertheless be entitled to take for his own use fees for transcriptions of shorthand notes unless he is expressly prohibited from so doing by the terms of his appointment.

Idem.

- (5) Where a shorthand writer is appointed at a salary and is expressly prohibited from taking fees for his own use for transcriptions of shorthand notes, he shall collect the fees for such transcriptions and pay them over to the treasurer of the county.

Fees.

- (6) The Lieutenant-Governor in Council may prescribe fees for shorthand writers.

Status.

- (7) Every shorthand writer appointed at a salary for the local courts of a county shall be deemed an employee of the county for the purposes of *The Workmen's Compensation Act* and of any municipal superannuation, group insurance or sick leave credit plan.

Rev. Stat.,  
c. 430.

Contribution.

- (8) The local municipalities not forming part of a county for judicial purposes shall pay to the county such proper proportion of the cost of the shorthand writer or writers appointed for the local courts of the county as may be mutually agreed upon, or failing agreement, as may be determined by arbitration.

Arbitration.

- (9) For the purposes of an arbitration under subsection 8, the judge of the county court shall be sole arbitrator unless he requests a junior judge of the county court or the judge or a junior judge of some other county court to act for him, in which case such other judge shall be sole arbitrator.

Procedure.  
Rev. Stat.,  
c. 244.

- (10) The provisions of *The Municipal Arbitrations Act* as to procedure and appeals shall apply to arbitrations held and awards made under subsection 8.

Commence-  
ment.

3. This Act shall come into force on the 1st day of April, 1951.

Short title.

4. This Act may be cited as *The County Judges Amendment Act, 1951*.









BILL

An Act to amend The County  
Judges Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 6th, 1951

*3rd Reading*

February 15th, 1951

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MR. PORTER

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Highway Traffic Act

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MR. McEWING

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TORONTO

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days, and in addition his licence or permit may be suspended for a period of not more than six months.

Short title.     **2.** This Act may be cited as *The Highway Traffic Amendment Act, 1951*.



BILL

An Act to amend The Highway Traffic  
Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

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MR. McEWING

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No. 40

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Deserted Wives' and Children's  
Maintenance Act**

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**MR. PORTER**

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#### EXPLANATORY NOTE

The Bill revises section 9 of the Act in order to clarify the procedures to be followed when a person is in default under an order for payment of money made under this Act.

# BILL

## An Act to amend The Deserted Wives' and Children's Maintenance Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 9 of *The Deserted Wives' and Children's Maintenance Act* is repealed and the following substituted therefor: Rev. Stat., c. 102, s. 9, re-enacted.

9.—(1) When default is made in the payment of any sum of money ordered to be paid under this Act, Enforcement of order. the judge of the juvenile court or magistrate who made the order, or any other judge of the juvenile court or magistrate before whom an information similar to the original information could be laid, or any judge of the juvenile court or magistrate who has jurisdiction in the locality in which the person in whose favour the order is made resides,

(a) may from time to time summon the person in default to explain the default; and

(b) if the service of the summons is proved and the person summoned does not appear and sufficient reason for his absence is not given, or if it appears that the summons could not be served, may issue a warrant for his arrest,

and if the person in default fails to satisfy the judge of the juvenile court or magistrate that such default is due to inability to pay, the judge of the juvenile court or magistrate may order and adjudge such person to be imprisoned for a term of not more than three months unless the sum payable under the first-mentioned order, or such lesser sum as the judge of the juvenile court or magistrate may designate, is sooner paid.

Transmission of order to facilitate enforcement.

- (2) When default is made in the payment of any sum of money ordered to be paid under this Act, the judge of the juvenile court or magistrate who made the order may at any time send a duplicate original of the order, together with a statement showing such information as he possesses of the circumstances of the case and for facilitating the identification of the person against whom the order was made and the location of his place of residence, to any judge of a juvenile court having jurisdiction in the locality in which such person resides, or to any magistrate in or near such locality, and upon receipt thereof the judge of the juvenile court or magistrate, as the case may be, shall summon the person in default to explain the default and may, if he is satisfied as to the justice of the order, exercise any of the powers mentioned in subsection 1, and when he has dealt with the matter he shall send a report thereon to the judge of the juvenile court or magistrate who made the order.

Application of s. 1035A, *Criminal Code* (Can.), Rev. Stat., c. 379.

- (3) Notwithstanding subsection 1 of section 3 of *The Summary Convictions Act*, section 1035A of the *Criminal Code* (Canada) shall not apply to an order for imprisonment made under this section.

Application of Rev. Stat., c. 379.

- 9a. Except as otherwise provided, proceedings under this Act shall be in accordance with *The Summary Convictions Act*.

Short title.

2. This Act may be cited as *The Deserted Wives' and Children's Maintenance Amendment Act, 1951*.







BILL

An Act to amend 'The Deserted Wives'  
and Childrens' Maintenance Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. PORTER

1951



No. 40

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Deserted Wives' and Children's  
Maintenance Act**

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MR. PORTER

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# BILL

## An Act to amend The Deserted Wives' and Children's Maintenance Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 9 of *The Deserted Wives' and Children's Maintenance Act* is repealed and the following substituted therefor: Rev. Stat., c. 102, s. 9, re-enacted.

9.—(1) When default is made in the payment of any sum of money ordered to be paid under this Act, Enforcement of order. the judge of the juvenile court or magistrate who made the order, or any other judge of the juvenile court or magistrate before whom an information similar to the original information could be laid, or any judge of the juvenile court or magistrate who has jurisdiction in the locality in which the person in whose favour the order is made resides,

- (a) may from time to time summon the person in default to explain the default; and
- (b) if the service of the summons is proved and the person summoned does not appear and sufficient reason for his absence is not given, or if it appears that the summons could not be served, may issue a warrant for his arrest,

and if the person in default fails to satisfy the judge of the juvenile court or magistrate that such default is due to inability to pay, the judge of the juvenile court or magistrate may order and adjudge such person to be imprisoned for a term of not more than three months unless the sum payable under the first-mentioned order, or such lesser sum as the judge of the juvenile court or magistrate may designate, is sooner paid.

Transmission of order to facilitate enforcement.

- (2) When default is made in the payment of any sum of money ordered to be paid under this Act, the judge of the juvenile court or magistrate who made the order may at any time send a duplicate original of the order, together with a statement showing such information as he possesses of the circumstances of the case and for facilitating the identification of the person against whom the order was made and the location of his place of residence, to any judge of a juvenile court having jurisdiction in the locality in which such person resides, or to any magistrate in or near such locality, and upon receipt thereof the judge of the juvenile court or magistrate, as the case may be, shall summon the person in default to explain the default and may, if he is satisfied as to the justice of the order, exercise any of the powers mentioned in subsection 1, and when he has dealt with the matter he shall send a report thereon to the judge of the juvenile court or magistrate who made the order.

Application of s. 1035A, *Criminal Code* (Can.). Rev. Stat., c. 379.

- (3) Notwithstanding subsection 1 of section 3 of *The Summary Convictions Act*, section 1035A of the *Criminal Code* (Canada) shall not apply to an order for imprisonment made under this section.

Application of Rev. Stat., c. 379.

- 9a. Except as otherwise provided, proceedings under this Act shall be in accordance with *The Summary Convictions Act*.

Short title.

- 2.** This Act may be cited as *The Deserted Wives' and Children's Maintenance Amendment Act, 1951*.







BILL

An Act to amend 'The Deserted Wives'  
and Childrens' Maintenance Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 15th, 1951

MR. PORTER

1951



No. 41

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Justices of the Peace Act**

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MR. PORTER

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EXPLANATORY NOTE

Section 6, which was enacted in 1842, reads:

6. Except where otherwise specially provided no solicitor shall be a justice of the peace during the time he continues to practise.

The prohibition is no longer appropriate. It is therefore repealed.

No. 41

1951

# BILL

## An Act to amend The Justices of the Peace Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 6 of *The Justices of the Peace Act* is repealed. Rev. Stat.,  
c. 192, s. 6,  
repealed.
2. This Act may be cited as *The Justices of the Peace Amendment Act, 1951*. Short title.

BILL

An Act to amend The Justices of the  
Peace Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. PORTER

No. 41

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Justices of the Peace Act

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MR. PORTER

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No. 41

1951

# BILL

## An Act to amend The Justices of the Peace Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 6 of *The Justices of the Peace Act* is repealed. Rev. Stat.,  
c. 192, s. 6,  
repealed.

2. This Act may be cited as *The Justices of the Peace Amendment Act, 1951*. Short title.

## BILL

An Act to amend The Justices of the  
Peace Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 15th, 1951

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MR. PORTER

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No. 42

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Land Titles Act

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MR. PORTER

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#### EXPLANATORY NOTE

At present there is authority under *The Planning Act* for municipalities to pass by-laws prohibiting sales of land in areas under subdivision control, but it is difficult to enforce the by-law when there is no prohibition against registering a transfer under *The Land Titles Act*. The amendment will allow *The Land Titles Act* and *The Planning Act* to work together.

No. 42

1951

# BILL

## An Act to amend The Land Titles Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Land Titles Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 197,  
amended.

107a.—(1) The Inspector may by direction designate any area as a subdivision plan area and thereafter no transfer of the land in the area shall be entered for registration. Designation  
of sub-  
division  
plan areas.

(2) The direction shall be entered against each parcel of land affected thereby and such direction may be deleted from the parcel register upon the application of the Inspector. Entry of  
direction  
on register.

**2.** This Act may be cited as *The Land Titles Amendment Act, 1951*. Short title.

BILL

An Act to amend The Land Titles Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. PORTER

1951

No. 42

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Land Titles Act

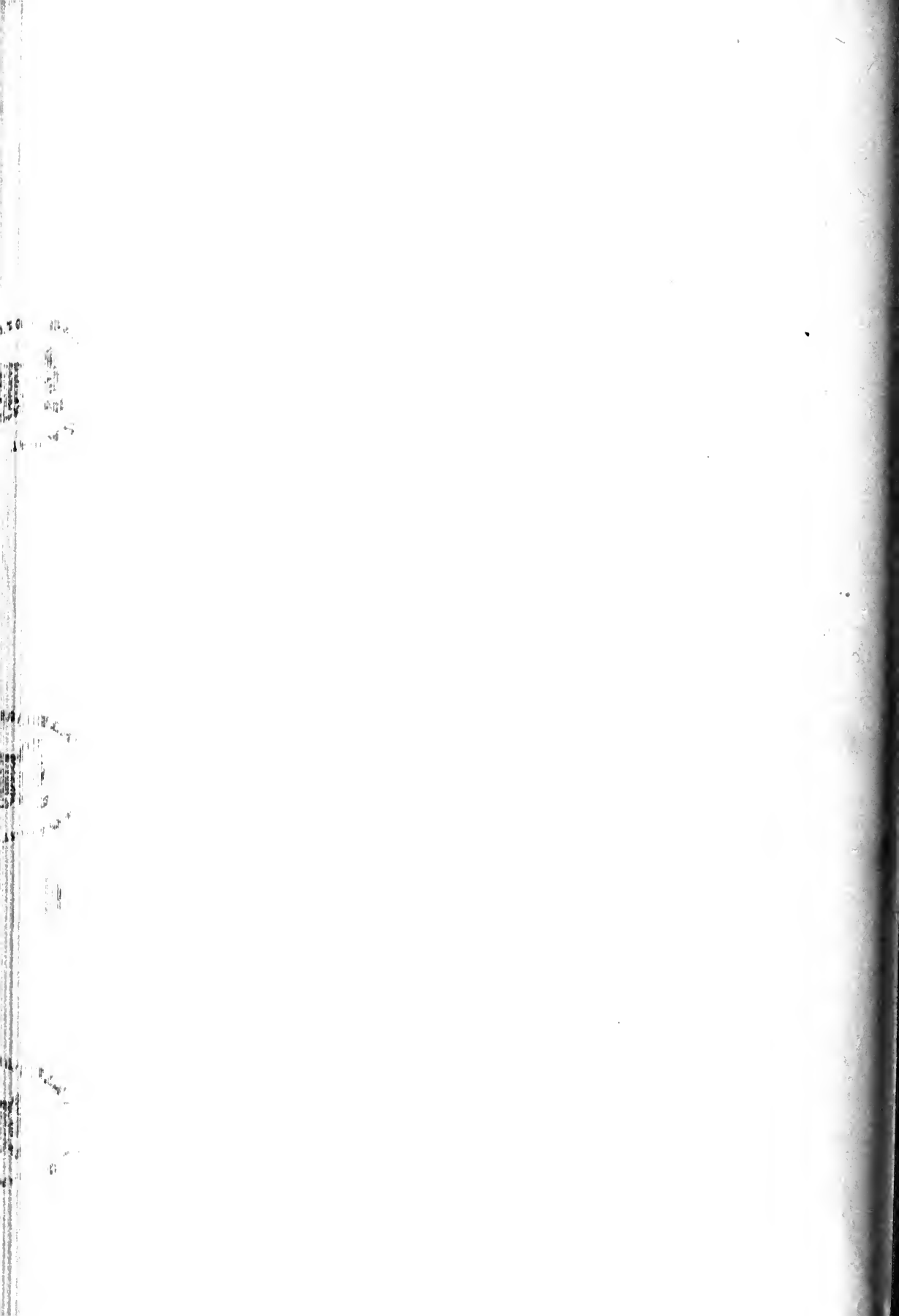
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MR. PORTER

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# BILL

## An Act to amend The Land Titles Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Land Titles Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 197,  
amended.

107a.—(1) The Inspector may by direction designate any area as a subdivision plan area and thereafter no transfer of the land in the area shall be entered for registration. Designation  
of sub-  
division  
plan areas.

(2) The direction shall be entered against each parcel of land affected thereby and such direction may be deleted from the parcel register upon the application of the Inspector. Entry of  
direction  
on register.

**2.** This Act may be cited as *The Land Titles Amendment Act, 1951*. Short title.

BILL

An Act to amend The Land Titles Act

*1st Reading.*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 15th, 1951

Mr. PORTER

1951



No. 43

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Unclaimed Articles Act

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MR. PORTER

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#### EXPLANATORY NOTE

This Act provides procedures under which unclaimed articles of clothing and household goods that have been deposited for cleaning, pressing, glazing, washing or repairing or storage may be disposed of legally.

The purpose of the amendments is to extend the scope of the Act to include articles of clothing, etc., deposited for dyeing.

No. 43

1951

# BILL

## An Act to amend The Unclaimed Articles Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subclause i of clause *a* of section 1 of *The Unclaimed Articles Act* is amended by inserting after the word “pressing” in the second line the word “dyeing”, so that the subclause shall read as follows: Rev. Stat.,  
c. 401, s. 1,  
cl. a,  
subcl. i,  
amended.

- (i) which is deposited with a person for cleaning, pressing, dyeing, glazing, washing or repairing, and

. . . . .

(2) Subclause i of clause *b* of the said section 1 is amended by inserting after the word “pressing” in the third line the word “dyeing”, so that the subclause shall read as follows: Rev. Stat.,  
c. 401, s. 1,  
cl. b,  
subcl. i,  
amended.

- (i) which is deposited with a person for storage whether or not it is also deposited for cleaning, pressing, dyeing, glazing, washing or repairing, and

. . . . .

2. This Act may be cited as *The Unclaimed Articles Amendment Act, 1951*. Short title.

BILL

An Act to amend The Unclaimed  
Articles Act

---

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

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MR. PORTER

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No. 43

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Unclaimed Articles Act

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MR. PORTER

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# BILL

## An Act to amend The Unclaimed Articles Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subclause i of clause *a* of section 1 of *The Unclaimed Articles Act* is amended by inserting after the word “pressing” in the second line the word “dyeing”, so that the subclause shall read as follows: Rev. Stat.,  
c. 401, s. 1,  
cl. a,  
subcl. 1,  
amended.

- (i) which is deposited with a person for cleaning, pressing, dyeing, glazing, washing or repairing, and

. . . . .

(2) Subclause i of clause *b* of the said section 1 is amended by inserting after the word “pressing” in the third line the word “dyeing”, so that the subclause shall read as follows: Rev. Stat.,  
c. 401, s. 1,  
cl. b,  
subcl. 1,  
amended.

- (i) which is deposited with a person for storage whether or not it is also deposited for cleaning, pressing, dyeing, glazing, washing or repairing, and

. . . . .

2. This Act may be cited as *The Unclaimed Articles Amendment Act, 1951*. Short title.

BILL

An Act to amend The Unclaimed  
Articles Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 16th, 1951

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MR. PORTER

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No. 44

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Department of Education Act**

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MR. PORTER

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#### EXPLANATORY NOTE

This Bill authorizes the Minister to require all school employees to submit periodically to medical examination. Heretofore the power could be exercised only in respect of teachers.

# BILL

## An Act to amend The Department of Education Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *f* of section 5 of *The Department of Education Act* Rev. Stat., c. 94, s. 5, cl. *f*, re-enacted. is repealed and the following substituted therefor:

(*f*) to require employees of boards to submit periodically to medical examination.

2. This Act may be cited as *The Department of Education Amendment Act, 1951*. Short title.

BILL

An Act to amend The Department of  
Education Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. PORTER

1951

No. 44

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Department of Education Act**

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MR. PORTER

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No. 44

1951

# BILL

## An Act to amend The Department of Education Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *f* of section 5 of *The Department of Education Act* is repealed and the following substituted therefor: Rev. Stat., c. 94, s. 5, cl. *f*, re-enacted.

(*f*) to require employees of boards to submit periodically to medical examination.

**2.** This Act may be cited as *The Department of Education Amendment Act, 1951*. Short title.

BILL

An Act to amend The Department of  
Education Act

---

*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 16th, 1951

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MR. PORTER

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No. 45

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The School Sites Act

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MR. PORTER

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#### EXPLANATORY NOTES

SECTION 1. Section 4 of *The School Sites Act*, which is repealed, provides that no school can be located in a township within 100 yards of orchards, gardens, dwelling-houses and pleasure-grounds without the consent of the owner unless a judge certifies that no other suitable location is available, and if the certificate is obtained compensation must be paid to the owner.

SECTION 2. Complementary to section 1.

# BILL

## An Act to amend The School Sites Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The Schools Sites Act* is repealed.

Rev. Stat.,  
c. 348, s. 4,  
repealed.

2. Subsection 1 of section 5 of *The School Sites Act* is amended by striking out the words "to section 4 and" in the first line, so that the subsection shall read as follows:

Rev. Stat.,  
c. 348, s. 5,  
subs. 1, ~~amended.~~

- (1) Subject to the provisions of *The Public Schools Act* as to the selection of a site by the board of a rural school section, every board may acquire by purchase or otherwise or may expropriate any land described in a resolution of the board declaring that the land is required for a school site or for the enlargement of a school site.

Board may  
purchase or  
expropriate.  
Rev. Stat.,  
c. 316.

3. This Act may be cited as *The School Sites Amendment Act, 1951*.

Short title.

BILL

An Act to amend The School Sites Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. PORTER

No. 45

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The School Sites Act

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MR. PORTER

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TORONTO  
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No. 45

1951

# BILL

## An Act to amend The School Sites Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The Schools Sites Act* is repealed. Rev. Stat.,  
c. 348, s. 4,  
repealed.
2. Subsection 1 of section 5 of *The School Sites Act* is amended by striking out the words "to section 4 and" in the first line, so that the subsection shall read as follows: Rev. Stat.,  
c. 348, s. 5,  
subs. 1,  
amended.
  - (1) Subject to the provisions of *The Public Schools Act* as to the selection of a site by the board of a rural school section, every board may acquire by purchase or otherwise or may expropriate any land described in a resolution of the board declaring that the land is required for a school site or for the enlargement of a school site. Board may  
purchase or  
expropriate.  
Rev. Stat.,  
c. 316.
3. This Act may be cited as *The School Sites Amendment Act, 1951*. Short title.

## BILL

An Act to amend The School Sites Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 16th, 1951

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MR. PORTER

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1951

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No. 46

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Vocational Education Act

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MR. PORTER

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#### EXPLANATORY NOTE

The repealed Part III of *The Vocational Education Act* provides for the establishment of vocational school districts for two or more municipalities upon the application of the boards of education or the high school boards of the municipalities. No application has ever been made under this Part since its enactment in 1931.

No. 46

1951

# BILL

## An Act to amend The Vocational Education Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Part III of *The Vocational Education Act* is repealed.
2. This Act may be cited as *The Vocational Education Amendment Act, 1951*.

Rev. Stat.,  
c. 413,  
Part III  
(ss. 24-28),  
repealed.  
Short title.

BILL  
An Act to amend The Vocational  
Education Act

*1st Reading*  
February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. PORTER

No. 46

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Vocational Education Act

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MR. PORTER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1994

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[illegible]

No. 46

1951

# BILL

## An Act to amend The Vocational Education Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Part III of *The Vocational Education Act* is repealed.
2. This Act may be cited as *The Vocational Education Amendment Act, 1951*.

Rev. Stat.,  
c. 413,  
Part III  
(ss. 24-28),  
repealed.

Short title.

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BILL

An Act to amend The Vocational  
Education Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 16th, 1951

*3rd Reading*

February 20th, 1951

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MR. PORTER

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No. 47

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to extend the Right to Vote at Municipal Elections to the  
Classes of Persons that may Vote at Elections to the Assembly

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MR. SALSBERG

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act to extend the Right to Vote at Municipal Elections to the Classes of Persons that may Vote at Elections to the Assembly

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Notwithstanding the provisions of *The Municipal Act*, every resident of a municipality who is entitled to vote at elections to the Assembly shall be entitled to be entered on the voters' list and to vote at municipal elections in the municipality. Municipal franchise same as provincial franchise. Rev. Stat., c. 243.

(2) Notwithstanding any other Act, the voters' list shall be prepared in the same manner as for an election to the Assembly. Voters' list.

**2.** This Act may be cited as *The Municipal Elections Act*, Short title. 1951.

BILL

An Act to extend the Right to Vote at  
Municipal Elections to the Classes of Per-  
sons that may Vote at Elections to the  
Assembly

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. SALSBERG

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Public Service Act

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MR. WELSH

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#### EXPLANATORY NOTE

When the superannuation plan for civil servants was first put into effect a maximum pension of \$2,000 was established because the pensions were then of necessity based largely on non-contributory service. Later, as the contributory feature of the plan built up, the maximum was raised to \$3,000.

The effect of subsection 1 of the bill is to remove the maximum entirely in respect of contributory service, but to retain the maximum of \$3,000 when a period of non-contributory service is included in the computation of a superannuation or disability allowance.

The effective date of this change is October 1st, 1950.

# BILL

## An Act to amend The Public Service Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of subsection 2 of section 20 of *The Public Service Act* and clause *a* of subsection 3 of the said section 20 are repealed and the following substituted therefor in each instance: Rev. Stat., c. 317, s. 20, subs. 2, cl. *a*, subs. 3, cl. *a*, re-enacted.

- (a) more than \$3,000 where any period of non-contributory service is included in the computation; or
- . . . . .

2.—(1) Section 1 shall be deemed to have come into force on the 1st day of October, 1950. Application of s. 1.

(2) Every annual superannuation and disability allowance subsisting on the 1st day of October, 1950, shall be re-computed as of that day in accordance with *The Public Service Act* as amended by this Act, regard being had only to contributory service, and if any such allowance as re-computed is greater than the allowance as originally computed, the allowance as re-computed shall be paid. Idem. Rev. Stat., c. 317.

3. This Act shall come into force on the day it receives the Royal Assent. Commencement.

4. This Act may be cited as *The Public Service Amendment Act, 1951*. Short title.

**BILL**

An Act to amend The Public Service Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. WELSH

1951



No. 48

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Public Service Act

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MR. WELSH

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

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No. 48

1951

# BILL

## An Act to amend The Public Service Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of subsection 2 of section 20 of *The Public Service Act* and clause *a* of subsection 3 of the said section 20 are repealed and the following substituted therefor in each instance: Rev. Stat., c. 317, s. 20, subs. 2, cl. *a*, subs. 3, cl. *a*, re-enacted.

(a) more than \$3,000 where any period of non-contributory service is included in the computation; or

. . . . .

2.—(1) Section 1 shall be deemed to have come into force on the 1st day of October, 1950. Application of s. 1.

(2) Every annual superannuation and disability allowance subsisting on the 1st day of October, 1950, shall be re-computed as of that day in accordance with *The Public Service Act* as amended by this Act, regard being had only to contributory service, and if any such allowance as re-computed is greater than the allowance as originally computed, the allowance as re-computed shall be paid. Idem. Rev. Stat., c. 317.

3. This Act shall come into force on the day it receives the Royal Assent. Commencement.

4. This Act may be cited as *The Public Service Amendment Act, 1951*. Short title.

BILL

An Act to amend The Public Service Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 16th, 1951

MR. WELSH

1951

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Municipal Act

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MR. DUNBAR

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#### EXPLANATORY NOTE

Paragraph 63 authorizes the acquisition of land by local municipalities for lease or sale as industrial sites. This amendment is to ensure that moneys received shall be applied to pay off the debentures and to other expenditures connected with the properties.

No. 49

1951

# BILL

## An Act to amend The Municipal Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 63 of subsection 1 of section 388 of *The Municipal Act* is amended by adding thereto the following clause:

Rev. Stat.,  
c. 243, s. 388,  
subs. 1,  
par. 63,  
amended.

(d) All moneys received from the sale or lease of any land acquired under *The Industrial Sites Act*, being chapter 268 of the Revised Statutes of Ontario, 1937, or acquired under a by-law passed under this paragraph, shall be paid into a special account and such moneys shall not be expended, pledged or applied to any purpose without the approval of the Department.

Application  
of receipts.

2. This Act shall be deemed to have come into force on the 2nd day of February, 1951.

Commence-  
ment.

3. This Act may be cited as *The Municipal Amendment Act, 1951*.

Short title.

BILL

An Act to amend The Municipal Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. DUNBAR

1951



3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Municipal Act

---

MR. DUNBAR

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*(Reprinted for consideration in Committee of the Whole House)*

#### EXPLANATORY NOTE

Paragraph 63 authorizes the acquisition of land by local municipalities for lease or sale as industrial sites. This amendment provides that, where debts are outstanding in respect of the acquisition of the land or in respect of certain services supplied to the land, moneys received from the sale or lease of the land shall be applied only to the retirement of the debts unless approval of the Department is given to the application of the moneys to other purposes.

# BILL

## An Act to amend The Municipal Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 63 of subsection 1 of section 388 of *The Municipal Act* is amended by adding thereto the following clause:

Rev. Stat.,  
c. 243, s. 388,  
subs. 1,  
par. 63,  
amended.

(d) Where land has been acquired under *The Industrial Sites Act*, being chapter 268 of the Revised Statutes of Ontario, 1937, or under a by-law passed under this paragraph, and any debt is outstanding in respect of the acquisition of the land, or in respect of any services supplied to the land, other than services supplied under *The Local Improvement Act*, all moneys received from the sale or lease of such land shall be paid into a special account and shall not be expended, pledged or applied to any purpose other than the retirement of such debts without the approval of the Department.

Application  
of receipts  
where debt  
outstanding.

Rev. Stat.,  
c. 215.

2. This Act shall be deemed to have come into force on the 2nd day of February, 1951.

Commence-  
ment.

3. This Act may be cited as *The Municipal Amendment Act, 1951*.

Short title.

BILL

An Act to amend The Municipal Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. DUNBAR

*(Reprinted for consideration in  
Committee of the Whole House)*

No. 49

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Municipal Act

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MR. DUNBAR

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*(Reprinted as amended in the Committee of the Whole House)*

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTE

Paragraph 63 authorizes the acquisition of land by local municipalities for lease or sale as industrial sites. This amendment provides that, where debts are outstanding in respect of the acquisition of the land or in respect of certain services supplied to the land, moneys received from the sale or lease of the land shall be applied only for the purpose of the retirement of the debts unless approval of the Department is given to the application of the moneys to other purposes.

No. 49

1951

# BILL

## An Act to amend The Municipal Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 63 of subsection 1 of section 388 of *The Municipal Act* is amended by adding thereto the following clause:

Rev. Stat.,  
c. 243, s. 388,  
subs. 1,  
par. 63,  
amended.

(d) Where land has been acquired under *The Industrial Sites Act*, being chapter 268 of the Revised Statutes of Ontario, 1937, or under a by-law passed under this paragraph, and any debt is outstanding in respect of the acquisition of the land, or in respect of any services supplied to the land, other than services supplied under *The Local Improvement Act*, all moneys received from the sale or lease of such land shall be used to retire the debt or shall be set aside as a fund to provide for the retirement of the debt unless the Department, upon the request of the council, approves the use of any of such moneys for another purpose; and when the debt is retired or the amount in the fund is sufficient to provide for the complete retirement of the debt, the balance of such moneys on hand and any such moneys received thereafter shall be credited to the general funds of the municipality.

Application  
of receipts  
where debt  
outstanding.

Rev. Stat.,  
c. 215.

2. This Act shall be deemed to have come into force on the 2nd day of February, 1951.

Commence-  
ment.

3. This Act may be cited as *The Municipal Amendment Act, 1951*.

Short title.

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BILL

An Act to amend The Municipal Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

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MR. DUNBAR

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*(Reprinted as amended in the Committee  
of the Whole House)*



No. 49

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Municipal Act

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MR. DUNBAR

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TORONTO  
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# BILL

## An Act to amend The Municipal Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 63 of subsection 1 of section 388 of *The Municipal Act* is amended by adding thereto the following clause: Rev. Stat., c. 243, s. 388, subs. 1, par. 63, amended.

(d) Where land has been acquired under *The Industrial Sites Act*, being chapter 268 of the Revised Statutes of Ontario, 1937, or under a by-law passed under this paragraph, and any debt is outstanding in respect of the acquisition of the land, or in respect of any services supplied to the land, other than services supplied under *The Local Improvement Act*, all moneys received from the sale or lease of such land shall be used to retire the debt or shall be set aside as a fund to provide for the retirement of the debt unless the Department, upon the request of the council, approves the use of any of such moneys for another purpose; and when the debt is retired or the amount in the fund is sufficient to provide for the complete retirement of the debt, the balance of such moneys on hand and any such moneys received thereafter shall be credited to the general funds of the municipality. Application of receipts where debt outstanding. Rev. Stat., c. 215.

2. This Act shall be deemed to have come into force on the 2nd day of February, 1951. Commencement.

3. This Act may be cited as *The Municipal Amendment Act, 1951*. Short title.

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BILL

An Act to amend The Municipal Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

March 14th, 1951

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MR. DUNBAR

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No. 50

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Day Nurseries Act**

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MR. GOODFELLOW

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TORONTO  
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#### EXPLANATORY NOTE

This amendment will enable day nurseries to care for children up to seven years of age instead of six in cases where the child is not in the first grade at school.

# BILL

## An Act to amend The Day Nurseries Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of section 1 of *The Day Nurseries Act* is amended by striking out the words "six years of age" in the eighth line and inserting in lieu thereof the words "seven years of age and not attending the first grade of school", so that the clause shall read as follows: Rev. Stat.,  
c. 88, s. 1,  
cl. a,  
amended.

(a) "day nursery" means any institution, agency or place, whether known as a day nursery, nursery school, kindergarten, play school, or under any other name, which for compensation or otherwise receives for temporary custody on a daily or hourly basis with or without stated educational purpose, during part or all of the day, apart from the parents, more than three children under seven years of age and not attending the first grade of school and not of common parentage, but does not include a nursery school or kindergarten conducted as part of a public or separate school under *The Public Schools Act* or *The Separate Schools Act*; Rev. Stat.,  
cc. 316, 356.

. . . . .

2. This Act may be cited as *The Day Nurseries Amendment Act, 1951*. Short title.

BILL

An Act to amend The Day Nurseries Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. GOODFELLOW

1951



No. 50

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Day Nurseries Act**

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MR. GOODFELLOW

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TORONTO  
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# BILL

## An Act to amend The Day Nurseries Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of section 1 of *The Day Nurseries Act* is amended by striking out the words "six years of age" in the eighth line and inserting in lieu thereof the words "seven years of age and not attending the first grade of school", so that the clause shall read as follows: Rev. Stat.,  
c. 88, s. 1,  
cl. a,  
amended.

(a) "day nursery" means any institution, agency or place, whether known as a day nursery, nursery school, kindergarten, play school, or under any other name, which for compensation or otherwise receives for temporary custody on a daily or hourly basis with or without stated educational purpose, during part or all of the day, apart from the parents, more than three children under seven years of age and not attending the first grade of school and not of common parentage, but does not include a nursery school or kindergarten conducted as part of a public or separate school under *The Public Schools Act* or *The Separate Schools Act*; Rev. Stat.,  
cc. 316, 356.

. . . . .

2. This Act may be cited as *The Day Nurseries Amendment Act, 1951*. Short title.

BILL

An Act to amend The Day Nurseries Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 20th, 1951

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MR. GOODFELLOW

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1951

No. 51

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Adoption Act

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MR. GOODFELLOW

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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#### EXPLANATORY NOTES

SECTION 1. Correction of a typographical error.

SECTION 2. Under the present Act an adoption order cannot be made in respect of an infant under twenty-one who has not been married unless the Provincial Officer certifies that the infant has lived for at least two years with the applicant, and so on.

The amendment cuts the minimum period to one year.

No. 51

1951

# BILL

## An Act to amend The Adoption Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 3 of *The Adoption Act* is amended Rev. Stat.,  
c. 7, s. 3,  
subs. 1,  
amended. by striking out the figure "1" in the first line and inserting in lieu thereof the figure "2".

2. Clause *a* of section 8 of *The Adoption Act* is amended Rev. Stat.,  
c. 7, s. 8,  
cl. a,  
amended. by striking out the words "two years" in the first line and inserting in lieu thereof the words "one year", so that the clause shall read as follows:

- (a) that the infant has lived for at least one year with the applicant and that during that period the conduct of the applicant and the conditions under which the infant has lived have been such as to justify the making of the order; or

. . . . .

3. This Act may be cited as *The Adoption Amendment Act, 1951*. Short title.

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BILL

An Act to amend The Adoption Act

---

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

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MR. GOODFELLOW

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No. 51

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Adoption Act

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MR. GOODFELLOW

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



No. 51

1951

# BILL

## An Act to amend The Adoption Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 1 of section 3 of *The Adoption Act* is amended by striking out the figure "1" in the first line and inserting in lieu thereof the figure "2". Rev. Stat., c. 7, s. 3, subs. 1, amended.

**2.** Clause *a* of section 8 of *The Adoption Act* is amended by striking out the words "two years" in the first line and inserting in lieu thereof the words "one year", so that the clause shall read as follows: Rev. Stat., c. 7, s. 8, cl. a, amended.

- (a) that the infant has lived for at least one year with the applicant and that during that period the conduct of the applicant and the conditions under which the infant has lived have been such as to justify the making of the order; or

. . . . .

**3.** This Act may be cited as *The Adoption Amendment Act, 1951*. Short title.

BILL

An Act to amend The Adoption Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 20th, 1951

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Mr. GOODFELLOW

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No. 52

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Hours of Work and Vacations with Pay Act**

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MR. FELL

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTE

The purpose of this Bill is to provide for two week's vacation with pay, and to clarify some of the present provisions with regard to vacations with pay.

# BILL

## An Act to amend The Hours of Work and Vacations with Pay Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 2, 3 and 4 of section 2 of *The Hours of Work and Vacations with Pay Act* are repealed and the following substituted therefor: Rev. Stat., c. 173, s. 2, subs. 2, 3, 4, re-enacted.

- (2) Subject to the provisions of this Act, every employee Vacations. in an industrial undertaking shall be given a vacation with pay of at least two weeks after every working year of his employment.
- (3) The employer may determine the period when each employee may take the vacation provided for in subsection 2, subject to negotiation in good faith with the appropriate collective bargaining agency regarding the vacation period of such employee as may be covered by the terms of a collective bargaining agreement, but such period shall not be later Employer may determine period of vacation. than ten months after the conclusion of the working year.
- (4) The amount of pay for the vacation given to an employee in respect of each working year under subsection 2 shall not be less than an amount equal to four per centum of the total earnings of the employee entered in the working year including, but not so as to restrict the generality of the foregoing, payment for vacations, statutory holidays and the like. Amount of pay for vacation.

2. This Act may be cited as *The Hours of Work and Vacations with Pay Amendment Act, 1951*. Short title.

BILL

An Act to amend The Hours of Work and  
Vacations with Pay Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. FELL



No. 53

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Planning Act

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MR. GRIESINGER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

SECTION 1. The subsection is re-enacted so that appointments of planning board members will be made at the same time as other municipal appointments.

SECTION 2. At present a plan can be adopted by a municipal council only if adopted by a majority of all the council members. This amendment requires a majority vote of all members of the planning board before a plan can be recommended to council.

SECTION 3. There are two ways of amending an official plan; first, the normal procedure where the amendment is recommended by the planning board and adopted by the council in the same way as an official plan is adopted, and second, the Minister is authorized to approve amendments initiated by the council. This amendment to section 12 places limitations on the Minister's power to approve amendments in respect of which the normal method has not been followed.

# BILL

## An Act to amend The Planning Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 4 of section 4 of *The Planning Act* is repealed and the following substituted therefor: Rev. Stat., c. 277, s. 4, subs. 4, re-enacted.

(4) The members of the planning board who are not members of a municipal council shall hold office for three years, provided that on the first appointment the council, from among such members, shall designate members who shall hold office, Term of office.

(a) until the 1st day of January of the year following the date of appointment;

(b) until the 1st day of January of the second year following the date of appointment; and

(c) until the 1st day of January of the third year following the date of appointment,

respectively, so that as nearly as possible one-third of such members shall retire each year; and the members of the planning board who are members of a council shall be appointed annually.

**2.** Section 8 of *The Planning Act* is amended by adding thereto the following subsection: Rev. Stat., c. 277, s. 8, amended.

(2) No plan shall be recommended for adoption unless it is approved by a vote of the majority of all the members of the planning board. Recommendation of plan.

**3.** Section 12 of *The Planning Act* is amended by adding thereto the following subsection: Rev. Stat., c. 277, s. 12, amended.

Conditions  
for  
Minister's  
approval.

- (2) Before approving an alteration or addition initiated by a council, the Minister may require that a report of the planning board be obtained in respect of the proposal and if the planning board does not concur in the proposal the Minister shall not approve the alteration or addition unless it has been adopted by a vote of two-thirds of all the members of the council.

Rev. Stat.,  
c. 277, s. 25,  
subs. 1,  
re-enacted.

4. Subsection 1 of section 25 of *The Planning Act* is repealed and the following substituted therefor:

Power of  
Minister  
re zoning  
and sub-  
division  
control.

- (1) The Minister may by order,

(a) with respect to any land in Ontario that is not within the scope of a by-law passed under section 390 of *The Municipal Act*, exercise any of the powers conferred upon councils by the said section 390 without the approval of the Ontario Municipal Board; and

(b) with respect to any land in Ontario, exercise the powers conferred upon councils by section 24.

Limitation  
of zoning  
powers.

- (1a) Where an official plan is in effect, the Minister shall not, with respect to land covered by the official plan, make an order under clause *a* of subsection 1 that does not conform with the official plan.

Commence-  
ment.

5. This Act shall come into force on the day it receives the Royal Assent.

Short title.

6. This Act may be cited as *The Planning Amendment Act, 1951*.

SECTION 4. The Minister's power to make orders having the same effect as zoning by-laws is extended to any land in Ontario not already covered by a municipal zoning by-law, whether or not the land is covered by an official plan. Under the new subsection 1a where there is an official plan covering the land any such order must conform with that plan. The Minister's power under subsection 1 to designate areas of subdivision control is extended to any land in Ontario whether or not a municipal zoning by-law or an official plan already covers the land.





BILL

An Act to amend The Planning Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. GRIESINGER

1951



No. 53

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Planning Act

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MR. GRIESINGER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act to amend The Planning Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 4 of section 4 of *The Planning Act* is repealed and the following substituted therefor: Rev. Stat., c. 277, s. 4, subs. 4, re-enacted.

(4) The members of the planning board who are not Term of office. members of a municipal council shall hold office for three years, provided that on the first appointment the council, from among such members, shall designate members who shall hold office,

(a) until the 1st day of January of the year following the date of appointment;

(b) until the 1st day of January of the second year following the date of appointment; and

(c) until the 1st day of January of the third year following the date of appointment,

respectively, so that as nearly as possible one-third of such members shall retire each year; and the members of the planning board who are members of a council shall be appointed annually.

2. Section 8 of *The Planning Act* is amended by adding thereto the following subsection: Rev. Stat., c. 277, s. 8, amended.

(2) No plan shall be recommended for adoption unless it is approved by a vote of the majority of all the Recommendation of plan. members of the planning board.

3. Section 12 of *The Planning Act* is amended by adding thereto the following subsection: Rev. Stat., c. 277, s. 12, amended.

Conditions  
for  
Minister's  
approval.

- (2) Before approving an alteration or addition initiated by a council, the Minister may require that a report of the planning board be obtained in respect of the proposal and if the planning board does not concur in the proposal the Minister shall not approve the alteration or addition unless it has been adopted by a vote of two-thirds of all the members of the council.

Rev. Stat.,  
c. 277, s. 25,  
subs. 1,  
re-enacted.

4. Subsection 1 of section 25 of *The Planning Act* is repealed and the following substituted therefor:

Power of  
Minister  
re zoning  
and sub-  
division  
control.

- (1) The Minister may by order,

(a) with respect to any land in Ontario that is not within the scope of a by-law passed under section 390 of *The Municipal Act*, exercise any of the powers conferred upon councils by the said section 390 without the approval of the Ontario Municipal Board; and

(b) with respect to any land in Ontario, exercise the powers conferred upon councils by section 24.

Limitation  
of zoning  
powers.

- (1a) Where an official plan is in effect, the Minister shall not, with respect to land covered by the official plan, make an order under clause a of subsection 1 that does not conform with the official plan.

Commence-  
ment.

5. This Act shall come into force on the day it receives the Royal Assent.

Short title.

6. This Act may be cited as *The Planning Amendment Act, 1951*.







BILL

An Act to amend The Planning Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 16th, 1951

MR. GRIESINGER



3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Mining Act

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MR. GEMMELL

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#### EXPLANATORY NOTES

SECTION 1. The amendment makes it clear that the staking of a claim does not give the licensee the right to remove the gravel, etc., from the claim.

SECTION 2. Part VIA is new and sets up a permit system to control and regulate the removal of sand, gravel, etc., from Crown lands.

# BILL

## An Act to amend The Mining Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 69 of *The Mining Act* is repealed and the following substituted therefor: Rev. Stat., c. 236, s. 69, re-enacted.

69. The staking or recording of a mining claim shall not confer upon the licensee the right to take or remove any sand, gravel or stone therefrom. Right of licensee to sand, gravel and stone.

2. *The Mining Act* is amended by adding thereto the following Part: Rev. Stat., c. 236, amended.

### PART VIA

#### QUARRY PERMITS

- 113a.—(1) No person shall take or remove or cause to be taken or removed from Crown lands any limestone, marble, granite, quartzite, feldspar, fluorspar or any other stone or rock quarried for any commercial or industrial purpose, or any gypsum, diatomaceous earth, clay, marl, peat, sand or gravel, unless he is the holder of a quarry permit. Quarry permit;
- (2) Application for a quarry permit may be made in the prescribed form to the Minister or the Deputy Minister, but where the permit applied for is to authorize the taking or removal of less than 1,000 cubic yards or 1,000 tons of material the application may be made to a recorder. application;
- (3) The Minister, the Deputy Minister or a recorder may issue quarry permits upon application therefor and upon payment of the prescribed fees. issue;
- (4) Notwithstanding subsection 3, a quarry permit may be issued free of charge to any municipality, issue free of charge;

or to any resident of Ontario if the material to be taken or removed is for his own use and not for sale or for use for any commercial or industrial purpose, but where more than 100 cubic yards or 100 tons of material is to be taken or removed the permit shall not be issued free of charge without the approval of the Minister.

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|---|---|
| term;                                   | (5) Every quarry permit shall expire on the 31st day of March next following its date of issue unless it is otherwise stated in the permit.   |
| transfer;                               | (6) No quarry permit shall be transferred without the written consent of the Minister or the Deputy Minister.   |
| suspension.                             | (7) The Minister may suspend or revoke a quarry permit at any time.   |
| Plan.                                   | (8) The Minister may require an applicant for a quarry permit to file a plan of the area in which he desires to operate indicating the extent and nature of the deposit and the location of any buildings or improvements adjacent to the deposit.  |
| Amount to be paid for material removed; | 113b.—(1) The holder of a quarry permit, other than the holder of a quarry permit issued free of charge, shall pay the Crown for the material taken or removed such amount as the Minister may determine.   |
| how determined.                         | (2) In determining the amount to be paid under subsection 1, the Minister shall have regard to the location, type and accessibility of the deposit and the amount of the material taken or removed.   |
| Security.                               | (3) The Minister may require the holder of a quarry permit to give security by bond or otherwise for the payment of such amounts.   |
| Records.                                | 113c. The holder of a quarry permit shall keep a detailed record of his operations and shall retain copies of all documents relating to sales and shipments and all accounts, records and documents relating to his operations shall be kept available for inspection by any person authorized by the Minister to inspect such accounts, records and documents. |
| Power to inspect.                       | 113d. Any person authorized by the Minister may enter any premises covered by a quarry permit and shall have access to all accounts, records and documents kept in relation to the operation of the quarry.   |



SECTION 3. The section is re-enacted in a simplified form to facilitate administration.

SECTION 4. The Schedule is amended to set out the fees required for quarry permits.

113e. The holder of a quarry permit shall make a return Returns.  
on the prescribed form on or before the 10th day of  
each month showing the quantity and destination  
of the material taken or removed during the next  
preceding month.

113f. A quarry permit shall not affect the right of a Licensee,  
licensee to stake out a mining claim on the lands right of.  
covered by the permit and any question of property  
damage shall be determined in the manner provided  
in section 95.

113g. Every person who contravenes this Part shall be Penalty.  
guilty of an offence and liable to a penalty of not  
less than \$10 and not more than \$500.

3. Section 163 of *The Mining Act* is repealed and the Rev. Stat.,  
c. 236, s. 163,  
re-enacted.  
following substituted therefor:

163. The Minister may, out of any moneys appropriated Testing  
laboratories.  
for the purpose, establish, maintain and operate  
a laboratory or laboratories for the purpose of  
testing or examining hoisting ropes or other ap-  
pliances used about a mine.

4. The Schedule to *The Mining Act* is amended by adding Rev. Stat.,  
c. 236,  
Sched.,  
amended.  
thereto the following item:

25. For a quarry permit covering an area of 40  
acres or less..... 10.00

and for each additional acre over 40 or part  
thereof..... .25

5. This Act shall come into force on the day it receives Commence-  
ment.  
the Royal Assent.

6. This Act may be cited as *The Mining Amendment* Short title.  
*Act, 1951.*

BILL

An Act to amend The Mining Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. GEMMELL

1951



No. 54

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Mining Act

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MR. GEMMELL

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



No. 54

1951

# BILL

## An Act to amend The Mining Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 69 of *The Mining Act* is repealed and the following substituted therefor: Rev. Stat., c. 236, s. 69, re-enacted.

69. The staking or recording of a mining claim shall not confer upon the licensee the right to take or remove any sand, gravel or stone therefrom. Right of licensee to sand, gravel and stone.

2. *The Mining Act* is amended by adding thereto the following Part: Rev. Stat., c. 236, amended.

### PART VIA

#### QUARRY PERMITS

- 113a.—(1) No person shall take or remove or cause to be taken or removed from Crown lands any limestone, marble, granite, quartzite, feldspar, fluorspar or any other stone or rock quarried for any commercial or industrial purpose, or any gypsum, diatomaceous earth, clay, marl, peat, sand or gravel, unless he is the holder of a quarry permit. Quarry permit;
- (2) Application for a quarry permit may be made in the prescribed form to the Minister or the Deputy Minister, but where the permit applied for is to authorize the taking or removal of less than 1,000 cubic yards or 1,000 tons of material the application may be made to a recorder. application;
- (3) The Minister, the Deputy Minister or a recorder may issue quarry permits upon application therefor and upon payment of the prescribed fees. issue;
- (4) Notwithstanding subsection 3, a quarry permit may be issued free of charge to any municipality, issue free of charge;

or to any resident of Ontario if the material to be taken or removed is for his own use and not for sale or for use for any commercial or industrial purpose, but where more than 100 cubic yards or 100 tons of material is to be taken or removed the permit shall not be issued free of charge without the approval of the Minister.

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|---|---|
| term;                                   | (5) Every quarry permit shall expire on the 31st day of March next following its date of issue unless it is otherwise stated in the permit.   |
| transfer;                               | (6) No quarry permit shall be transferred without the written consent of the Minister or the Deputy Minister.   |
| suspension.                             | (7) The Minister may suspend or revoke a quarry permit at any time.   |
| Plan.                                   | (8) The Minister may require an applicant for a quarry permit to file a plan of the area in which he desires to operate indicating the extent and nature of the deposit and the location of any buildings or improvements adjacent to the deposit.  |
| Amount to be paid for material removed; | 113b.—(1) The holder of a quarry permit, other than the holder of a quarry permit issued free of charge, shall pay the Crown for the material taken or removed such amount as the Minister may determine.   |
| how determined.                         | (2) In determining the amount to be paid under subsection 1, the Minister shall have regard to the location, type and accessibility of the deposit and the amount of the material taken or removed.   |
| Security.                               | (3) The Minister may require the holder of a quarry permit to give security by bond or otherwise for the payment of such amounts.   |
| Records.                                | 113c. The holder of a quarry permit shall keep a detailed record of his operations and shall retain copies of all documents relating to sales and shipments and all accounts, records and documents relating to his operations shall be kept available for inspection by any person authorized by the Minister to inspect such accounts, records and documents. |
| Power to inspect.                       | 113d. Any person authorized by the Minister may enter any premises covered by a quarry permit and shall have access to all accounts, records and documents kept in relation to the operation of the quarry.   |

113e. The holder of a quarry permit shall make a return <sup>Returns.</sup> on the prescribed form on or before the 10th day of each month showing the quantity and destination of the material taken or removed during the next preceding month.

113f. A quarry permit shall not affect the right of a <sup>Licensee,</sup> licensee to stake out a mining claim on the lands <sup>right of.</sup> covered by the permit and any question of property damage shall be determined in the manner provided in section 95.

113g. Every person who contravenes this Part shall be <sup>Penalty.</sup> guilty of an offence and liable to a penalty of not less than \$10 and not more than \$500.

3. Section 163 of *The Mining Act* is repealed and the <sup>Rev. Stat.,</sup> following substituted therefor: <sup>c. 236, s. 163,</sup> <sup>re-enacted.</sup>

163. The Minister may, out of any moneys appropriated <sup>Testing</sup> for the purpose, establish, maintain and operate <sup>laboratories.</sup> a laboratory or laboratories for the purpose of testing or examining hoisting ropes or other appliances used about a mine.

4. The Schedule to *The Mining Act* is amended by adding <sup>Rev. Stat.,</sup> thereto the following item: <sup>c. 236,</sup> <sup>Sched.,</sup> <sup>amended.</sup>

25. For a quarry permit covering an area of 40  
acres or less..... 10.00

and for each additional acre over 40 or part  
thereof..... .25

5. This Act shall come into force on the day it receives <sup>Commence-</sup> the Royal Assent. <sup>ment.</sup>

6. This Act may be cited as *The Mining Amendment* <sup>Short title.</sup> *Act, 1951.*

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BILL

An Act to amend The Mining Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

February 9th, 1951

*3rd Reading*

February 16th, 1951

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MR. GEMMELL

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No. 55

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Municipal Act

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MR. MACLEOD

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1944

1944

1944

No. 55

1951

# BILL

## An Act to amend The Municipal Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Municipal Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 243, ¶  
amended.

415a.—(1) Every licence or permit issued pursuant to this Part shall be subject to the condition that the holder of such licence or permit shall not, in the conduct of his business pursuant to such licence or permit, discriminate against any person or any class of persons because of the race or creed or colour of such person or class of persons, and every such licence or permit shall bear an endorsement to the foregoing effect. Proviso  
against  
discrimina-  
tion in  
licences and  
permits.

(2) No holder of a licence or permit issued pursuant to this Part shall discriminate against any person or any class of persons because of the race or creed or colour of such person or class of persons. Licensees  
and per-  
mittees  
not to  
discriminate.

2. This Act may be cited as *The Municipal Amendment Act, 1951*. Short title.

BILL

An Act to amend The Municipal Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. MACLEOD

No. 56

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act respecting Fair Employment Practices**

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MR. CALDER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTE

The purpose of this Bill is to put an end to unfair employment practices and to foster proper relationships between employers and employees.

Administration is placed in the hands of a commission of five persons (section 10) who will be responsible for the enforcement of the Act.

# BILL

## An Act respecting Fair Employment Practices

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation.

- (a) "Commission" means The Fair Employment Commission appointed under this Act;
- (b) "employer" means any employer, whether an individual, firm, partnership, association or corporation, who employs three or more individuals, and includes anyone acting for or on behalf of an employer, any employment agency and any municipal corporation;
- (c) "employment agency" includes any person, whether an individual, firm, partnership, association or corporation, undertaking with or without compensation to solicit, procure, refer or place employees for an employer;
- (d) "labour organization" includes any trade union or association of employees.

**2.** This Act shall not apply,

Where Act  
not to  
apply.

- (a) to an exclusively social or fraternal or educational association or corporation that is not organized for private profit;
- (b) to a religious association or corporation or any association or corporation operated or controlled by a religious association or corporation, or operated primarily for the benefit of a particular religious or ethnic group; or
- (c) to domestic household service.

Right to freedom from discrimination in employment established.

**3.** The right to freedom from discrimination in employment because of race, colour, creed, religion, ethnic or national origin or ancestry is a civil right and privilege of every person in respect of his employment or prospect of employment in Ontario.

Employers not to discriminate.

**4.** No employer shall discriminate against any individual or group in respect of terms, conditions or privileges of employment, or discharge or refuse to employ any individual or group because of race, colour, creed, religion, ethnic or national origin or ancestry.

Applications, etc., for employment.

**5.** No employer or other person shall print, disseminate, circulate or use or cause to be printed, disseminated, circulated or used any statement, whether oral or in any other form, any advertisement or publication respecting employment or any form of application for employment that expresses, directly or indirectly, any limitation, specification or preference as to race, colour, creed, religion, ethnic or national origin or ancestry, or make any inquiry or record in connection with employment or application therefor as to race, colour, creed, religion, ethnic or national origin or ancestry.

Membership in labour organizations.

**6.** No labour organization shall exclude from full membership rights or expel or suspend any individual or member or group or discriminate against any individual or member or group or any employee because of race, colour, creed, religion, ethnic or national origin or ancestry.

No discrimination for opposition to unfair practices.

**7.** No employer or labour organization shall discharge, expel, refuse to employ or otherwise discriminate against any individual because he has opposed any of the practices prohibited in this Act or because he has initiated or participated in any proceeding relating to a violation of this Act.

Aiding, obstructing, etc.

**8.** No person shall aid, abet, encourage or incite the commission of anything prohibited in this Act, or attempt to do so, or obstruct or attempt to prevent any other person from complying with this Act.

Offences and penalties.

**9.—(1)** Every person who violates any of the provisions of this Act shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$200 for a first offence and not more than \$500 for a second or subsequent offence.

Disposition of penalties.

**(2)** The penalties recovered for offences under this Act shall be paid to the Treasurer of Ontario and shall form part of the Consolidated Revenue Fund.



(3) No prosecution for an offence under this Act shall be instituted except with the consent in writing of the Commission as provided for in section 11.

(4) An information or complaint in respect of any violation of this Act may be for one or more offences and no information, complaint, warrant, conviction or other proceedings in any such prosecution is objectionable or insufficient by reason of the fact that it relates to two or more offences.

**10.—**(1) The Lieutenant-Governor in Council may appoint five persons as a commission to be known as "The Fair Employment Commission", and may designate one of such persons as chairman.

(2) The members of the Commission shall serve without remuneration.

(3) A majority of the members shall constitute a quorum.

(4) The Lieutenant-Governor in Council may appoint any person to fill any vacancy that occurs on the Commission.

(5) Such office accommodation, office supplies and clerical and other assistance as the Lieutenant-Governor in Council deems appropriate shall be furnished by the Department of Labour.

(6) The Commission may, subject to the approval of the Lieutenant-Governor in Council, make such regulations as may be necessary to enable it to discharge its duties under this Act.

(7) The Commission may delegate to any one of its members all or any part of its jurisdiction under this Act, and may revoke any such delegation.

**11.—**(1) Any person aggrieved by an alleged violation of any of the provisions of this Act may file a complaint in writing with the Commission, and the Commission may make an investigation into the alleged violation and may give the complainant consent in writing to prosecute.

(2) The Commission may of its own motion make an investigation to determine whether there has been a violation of this Act, and may give any person consent in writing to prosecute.

(3) In any investigation under this section the Commission may exercise any of the powers that may be conferred upon a commissioner under *The Public Inquiries Act*.

Anti-dis-  
crimination  
programmes.

**12.** The Commission may co-operate with any organization in such activities as will in the opinion of the Commission aid in preventing or lessening racial or religious discrimination, and without derogating from the generality of the foregoing the Commission may co-operate with any organization in the study of problems of discrimination and foster through community effort or otherwise good-will, co-operation and conciliation between groups and elements of the people of Ontario and develop proposals and programmes of an educational nature designed to lessen or prevent racial or religious discrimination or prejudice.

Annual  
reports.

**13.—(1)** The Commission shall, in each year on or before a day to be named by the Lieutenant-Governor in Council, make a report to the Lieutenant-Governor of its activities under this Act during the previous year, and such report shall contain such particulars as the Lieutenant-Governor in Council may prescribe.

Reports to  
be tabled  
in House.

**(2)** Every such report shall be laid forthwith before the Assembly if it is in session and if it is not, then within fifteen days after the opening of the next session.

Commence-  
ment.

**14.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title.

**15.** This Act may be cited as *The Fair Employment Practices Act, 1951*.



BILL

An Act respecting Fair Employment  
Practices

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. CALDER

No. 57

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act respecting Fair Employment Practices**

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MR. WALTERS

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

The general purpose of this Bill is to lessen racial and religious discrimination in employment, both by making such discrimination illegal, and by providing for co-operation with voluntary agencies in activities of an educational and conciliatory nature designed to lessen racial and religious prejudice and discrimination.

SECTION 1. Interpretation.

SECTION 2. Exempts religious and other groups and household service.

SECTION 3. Establishes the right to freedom from discrimination in employment as a civil right.

# BILL

## An Act respecting Fair Employment Practices

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation.

- (a) "Board" means Ontario Labour Relations Board;
- (b) "employer" means any employer, whether an individual, firm, partnership, association or corporation, who employs three or more individuals, anyone acting for or on behalf of an employer, any employment agency and any municipal corporation;
- (c) "employment agency" includes any person, whether an individual, firm, partnership, association or corporation, undertaking with or without compensation to solicit, procure, refer or place employees for an employer;
- (d) "labour organization" includes any trade union, or association of employees.

**2.** This Act shall not apply to,

Where Act  
not to apply.

- (a) an exclusively social or fraternal or educational association or corporation if such association or corporation is not organized for private profit;
- (b) a religious association or corporation or any association or corporation operated or controlled by a religious association or corporation, or operated primarily for the benefit of a particular religious or ethnic group;
- (c) domestic household service.

**3.** The right to freedom from discrimination in employment because of race, colour, creed, religion, ethnic or national origin or ancestry is hereby declared to be a civil right and

Right to  
freedom  
from dis-  
crimination  
in employ-  
ment estab-  
lished.

privilege of every person in respect of his employment or prospect of employment in Ontario.

Employers  
not to dis-  
criminate.

**4.** No employer shall discriminate against any individual or group in respect of terms, conditions or privileges of employment, or discharge or refuse to employ any individual or group because of race, colour, creed, religion, ethnic or national origin or ancestry.

Applications,  
etc., for  
employment.

**5.** No employer or other person shall print, disseminate, circulate or use or cause to be printed, disseminated, circulated or used any statement, whether oral or in any other form, any advertisement or publication respecting employment or any form of application for employment which expresses, directly or indirectly, any limitation, specification or preference as to race, colour, creed, religion, ethnic or national origin or ancestry, or make any inquiry or record in connection with employment or application therefor as to race, colour, creed, religion, ethnic or national origin or ancestry.

Membership  
in labour  
organiza-  
tions.

**6.** No labour organization shall exclude from full membership rights or expel or suspend any individual or member or group or discriminate against any individual or member or group or any employee because of race, colour, creed, religion, ethnic or national origin or ancestry.

No dis-  
crimination  
for opposi-  
tion to  
unfair  
practices.

**7.** No employer or labour organization shall discharge, expel, refuse to employ or otherwise discriminate against any individual because he has opposed any of the practices prohibited in this Act or because he has initiated or participated in any proceeding relating to a violation of this Act.

Aiding,  
obstructing,  
etc.

**8.** No person shall aid, abet, encourage or incite the commission of anything prohibited in this Act, or attempt to do so, or obstruct or attempt to prevent any other person from complying with the provisions of this Act.

Procedure on  
complaints.

**9.—(1)** Any person aggrieved by a violation of any of the provisions of this Act may file a complaint in writing with the Board, and the Board may make an investigation into the violation and may give leave to the complainant to apply to a judge of the Supreme Court by originating notice for the recovery of the penalties imposed by this Act, and upon every such application the rules of practice of the Supreme Court shall apply.

Idem.

**(2)** The Board may of its own motion make an investigation to determine whether there has been a violation of this Act, and may give to any person, association or corporation leave to apply to a judge of the Supreme Court by originating



SECTION 4. Prohibits discrimination in employment.

SECTION 5. Prohibits the use of advertisements, application forms, etc., which may indicate any intention to discriminate.

SECTION 6. Prohibits discrimination by labour organization.

SECTION 7. Prohibits discrimination against any person because of any proceedings taken under the Act.

SECTION 8. Prohibits any person being an accessory to a violation of the Act.

SECTION 9. Provides for enforcement.

SECTION 10. Provides for injunctions against continuing violations.

SECTION 11. Enforcement of orders.

SECTION 12. Provides for co-operation with voluntary agencies or associations in studying problems of discrimination, fostering good-will between various groups and developing educational programmes.

SECTION 13. Provides for an annual report.

notice for the recovery of the penalties imposed by this Act, and upon every such application the rules of practice of the Supreme Court shall apply.

(3) In any investigation under subsection 1 or 2, the Board <sup>Investigatory powers of Board.</sup> may exercise any of the powers that may be conferred upon a commissioner under *The Public Inquiries Act*.

(4) The Board may, subject to the approval of the Lieu- <sup>Regulations.</sup> tenant-Governor in Council, make such regulations as may be necessary to enable it to discharge its duties under this Act.

(5) The Board may delegate to any one of its members all <sup>Delegation of powers.</sup> or any part of its jurisdiction under this Act, and may revoke any such delegation.

(6) Every person who violates any of the provisions of this <sup>Penalties.</sup> Act shall be liable to a penalty of not more than \$200 for a first offence and not more than \$500 for a second or subsequent offence, and such penalties shall be paid to the Treasurer of Ontario.

**10.** Any person aggrieved by a violation of any of the <sup>Injunction proceedings.</sup> provisions of this Act may apply to the Supreme Court by originating notice for an order enjoining the continuance of such violation, and upon such application the rules of practice of the Supreme Court shall apply.

**11.** Any order made under section 9 or 10 may be enforced <sup>Enforcement of orders.</sup> in the same manner as any other order or judgment of the Supreme Court.

**12.** The Board may co-operate with voluntary agencies or <sup>Anti-discrimination programmes.</sup> associations, local, regional or province-wide, in such activities as will in the judgment of the Board aid in preventing or lessening racial or religious discrimination, and without derogating from the generality of the foregoing the Board may co-operate with such voluntary agencies or association to study general problems of discrimination or specific instances of discrimination, to foster through community effort or otherwise good-will, co-operation and conciliation between groups and elements of the population of the province and to develop proposals and programmes of an educational nature designed to lessen or prevent racial or religious discrimination or prejudice.

**13.—(1)** The Board shall, on or before a day to be named <sup>Annual reports.</sup> by the Lieutenant-Governor in Council in each year, make a report to the Lieutenant-Governor of its activities under this Act during the previous year and such report shall con-

tain such particulars as the Lieutenant-Governor in Council may prescribe.

Reports to  
be tabled  
in House.

(2) Every such report shall be laid forthwith before the Assembly if it is in session and if it is not, then within fifteen days after the opening of the next session.

Commence-  
ment.

**14.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short title.

**15.** This Act may be cited as *The Fair Employment Practices Act, 1951*.



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BILL  
An Act respecting Fair Employment  
Practices

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*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

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MR. WALTERS

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No. 58

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Training Schools Act**

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MR. FOOTE

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TORONTO  
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#### EXPLANATORY NOTES

SECTION 1. The amendment increases the liability of municipalities for the maintenance and education of children in training schools.

SECTION 2. The amendment increases the contribution of the Province toward the maintenance and education of children in private training schools.

No. 58

1951

# BILL

## An Act to amend The Training Schools Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 15 of *The Training Schools Act* Rev. Stat., c. 396, s. 15, subs. 1, amended. is amended by striking out the figures "75" in the sixth line and inserting in lieu thereof the figures "90", so that the subsection shall read as follows:

- (1) Subject as in this Act may otherwise be provided, Liability of municipality. when a boy or girl is sent or admitted to a training school, the municipality to which the boy or girl belongs shall be liable to the Department in the case of an Ontario training school and to the society operating the training school in the case of a private training school, for and shall pay the sum of 90 cents per day towards the cost of maintenance and education of the boy or girl for each actual day's stay of the boy or girl in the training school.

2. Subsection 1 of section 20 of *The Training Schools Act* Rev. Stat., c. 396, s. 20, subs. 1, amended. is amended by striking out the figures "75" in the first line and inserting in lieu thereof the figures "90" and by striking out the symbol and figures "\$1.50" in the fourth line and inserting in lieu thereof the symbol and figures "\$1.80", so that the subsection shall read as follows:

- (1) The sum of 90 cents per day and in the case of a boy Contribution from Province to private schools. or girl belonging to a part of a provisional judicial district not within a city or separated town or a town or township having a population of 5,000 or over the sum of \$1.80 per day for each day's actual stay of a boy or girl in a private training school shall be paid quarterly by the Treasurer of Ontario to the society maintaining the training school out of any moneys appropriated for that purpose.

3. This Act shall come into force on the 1st day of April, Commencement. 1951.

4. This Act may be cited as *The Training Schools Amendment Act, 1951*. Short title.

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BILL

An Act to amend The Training  
Schools Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

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MR. FOOTE

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No. 58

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Training Schools Act

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MR. FOOTE

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TORONTO  
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# BILL

## An Act to amend The Training Schools Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 15 of *The Training Schools Act* Rev. Stat., c. 396, s. 15, subs. 1, amended. is amended by striking out the figures "75" in the sixth line and inserting in lieu thereof the figures "90", so that the subsection shall read as follows:

- (1) Subject as in this Act may otherwise be provided, Liability of municipality. when a boy or girl is sent or admitted to a training school, the municipality to which the boy or girl belongs shall be liable to the Department in the case of an Ontario training school and to the society operating the training school in the case of a private training school, for and shall pay the sum of 90 cents per day towards the cost of maintenance and education of the boy or girl for each actual day's stay of the boy or girl in the training school.

2. Subsection 1 of section 20 of *The Training Schools Act* Rev. Stat., c. 396, s. 20, subs. 1, amended. is amended by striking out the figures "75" in the first line and inserting in lieu thereof the figures "90" and by striking out the symbol and figures "\$1.50" in the fourth line and inserting in lieu thereof the symbol and figures "\$1.80", so that the subsection shall read as follows:

- (1) The sum of 90 cents per day and in the case of a boy or girl belonging to a part of a provisional judicial district not within a city or separated town or a town or township having a population of 5,000 or over the sum of \$1.80 per day for each day's actual stay of a boy or girl in a private training school shall be paid quarterly by the Treasurer of Ontario to the society maintaining the training school out of any moneys appropriated for that purpose. Contribution from Province to private schools.

3. This Act shall come into force on the 1st day of April, Commencement. 1951.

4. This Act may be cited as *The Training Schools Amendment Act, 1951*. Short title.

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BILL  
An Act to amend The Training  
Schools Act

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*1st Reading*  
February 2nd, 1951

*2nd Reading*  
February 12th, 1951

*3rd Reading*  
February 16th, 1951

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MR. FOOTE

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No. 59

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting Fair Employment Practices

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MR. SALSBERG

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TORONTO  
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1871

1872

1873

# BILL

## An Act respecting Fair Employment Practices

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation.

- (a) "Board" means Ontario Labour Relations Board;
- (b) "employer" includes any agent of an employer but does not include any social, fraternal, charitable, educational or religious organization that is not operated for private profit; and
- (c) "employment agency" includes any person undertaking to procure employees or opportunities to work.

**2.—(1)** No employer shall,

Unfair em-  
ployment  
practices.

- (a) refuse to employ any person;
- (b) bar or discharge any person from employment; or
- (c) discriminate in any way against any person in connection with his employment,

because of his race, colour, religious creed, national origin, or ancestry.

**(2)** No employer shall,

Idem.

- (a) print or circulate or cause to be printed or circulated any statement, advertisement or publication;
- (b) use any form of application for employment; or
- (c) make any inquiry in connection with prospective employment,

which expresses, directly or indirectly, any limitation, specification or discrimination as to race, colour, religious creed, national origin, or ancestry, or which indicates any intention to make any such limitation, specification or discrimination.

Idem.

(3) No employer shall bar or discharge any person from employment or discriminate in any way against any person in connection with his employment for having opposed or for opposing employment practices prohibited by this Act or for making any complaint, testifying or assisting in any proceeding under this Act.

Aiding,  
abetting,  
etc.

**3.** No person shall aid, abet, incite, coerce or compel the doing of any act prohibited by this Act, or make any attempt to do so.

Offences.

**4.** Every person who contravenes any of the provisions of this Act shall be guilty of an offence and shall on summary conviction be liable to a penalty, for a first offence, of not less than \$25 and not more than \$100, and for any subsequent offence, of not less than \$100 and not more than \$500 or to imprisonment for not more than one year or to both.

Power to  
order rein-  
statement

**5.—(1)** If in any proceeding under section 4 it is found that any employee or prospective employee has been discriminated against contrary to this Act, an order may be made requiring the employer to place the employee or prospective employee in the condition that he would have been in had he not been so discriminated against.

Offence.

(2) Failure to carry out any order under this section shall be deemed to be a contravention of this Act.

Duty of  
Board.

**6.** It shall be the duty of the Board to make such inquiries, hold such investigations and do such other acts and things as may be necessary to ensure that the provisions of this Act are complied with.

Short title.

**7.** This Act may be cited as *The Fair Employment Practices Act, 1951*.



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BILL

An Act respecting Fair Employment  
Practices

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. SALSBERG



No. 60

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Election Act

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MR. MACLEOD

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TORONTO  
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No. 60

1951

# BILL

## An Act to amend The Election Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *a* of paragraph 1 of section 18 of *The Election Act* is amended by striking out the figures "21" and inserting in lieu thereof the figures "18", so that the clause shall read as follows: Rev. Stat., c. 112, s. 18, par. 1, cl. *a*, amended.

(*a*) is of the full age of 18 years.

(2) Clause *a* of paragraph 3 of the said section 18 is amended by striking out the figures "21" and inserting in lieu thereof the figures "18", so that the clause shall read as follows: Rev. Stat., c. 112, s. 18, par. 3, cl. *a*, amended.

(*a*) is of the full age of 18 years.

**2.** This Act may be cited as *The Election Amendment Act*, Short title. 1951.

BILL

An Act to amend The Election Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. MACLEOD

No. 61

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Highway Traffic Act

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MR. BROWN

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TORONTO  
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#### EXPLANATORY NOTE

This amendment reduces the permissible speed limit from thirty miles per hour to fifteen miles per hour along a school grounds and for 300 feet measured in each direction.

No. 61

1951

# BILL

## An Act to amend The Highway Traffic Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 1 of *The Highway Traffic Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 167, s. 1,  
subs. 1,  
amended.

(uu) "school zone" means that part of a highway within a city, town, village, police village or built-up area on which a school grounds abuts, measured from a point 300 feet beyond the place where one boundary of the school grounds meets the highway to a point 300 feet beyond the place where the other boundary meets the highway, provided that official signs are displayed at each limit of the zone.

2.—(1) Clause *b* of subsection 1 of section 28 of *The Highway Traffic Act* is amended by striking out the word and letter "clause *a*" in the first line and inserting in lieu thereof the words and letters "clauses *a* and *bb*", so that the clause shall read as follows: Rev. Stat.,  
c. 167, s. 28,  
subs. 1,  
cl. b,  
amended.

(b) subject to clauses *a* and *bb*, thirty miles per hour upon a highway within a city, town, village, police village or built-up area.

(2) Subsection 1 of the said section 28 is further amended by adding thereto the following clause: Rev. Stat.,  
c. 167, s. 28,  
subs. 1,  
amended.

(bb) subject to clause *a*, fifteen miles per hour between the hours of 8 a.m. and 5 p.m. within a school zone in a city, town, village, police village or built-up area.

3. This Act may be cited as *The Highway Traffic Amendment Act, 1951*. Short title.

No. 61

BILL

An Act to amend The Highway  
Traffic Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. BROWN



No. 62

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Minimum Wage Act**

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MR. MACLEOD

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# BILL

## An Act to amend The Minimum Wage Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The Minimum Wage Act* is repealed and the following substituted therefor: Rev. Stat., c. 235, s. 4, re-enacted.

4.—(1) It shall be unlawful for any employer to pay any Minimum rate of pay. of his employees, with the exception of an apprentice as defined by *The Apprenticeship Act*, less than 75 Rev. Stat., c. 19. cents per hour.

(2) Where there is any conflict between the provisions of Conflict with other Acts and regulations. subsection 1 and any regulation or order under this Act and the provisions of any other Act of this Legislature and any regulation made thereunder, the provisions of subsection 1 shall supersede and apply.

(3) The provisions of *The Hours of Work and Vacations with Pay Act* shall apply in respect to the maximum Maximum hours of work. number of hours that an employee may work. Rev. Stat., c. 173.

2. This Act may be cited as *The Minimum Wage Amendment Act, 1951*. Short title.

No. 62

BILL

An Act to amend The Minimum Wage Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. MACLEOD

No. 63

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Hours of Work and Vacations with Pay Act**

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MR. SALSBERG

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No. 63

1951

# BILL

## An Act to amend The Hours of Work and Vacations with Pay Act

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** Subsection 2 of section 2 of *The Hours of Work and Vacations with Pay Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 173, s. 2,  
subs. 2,  
re-enacted.

(2) Subject to this Act, every employee in an industrial Vacations.  
undertaking shall be given a vacation of at least  
two weeks with pay during every working year of his  
employment.

**2.** This Act may be cited as *The Hours of Work and Vacations with Pay Amendment Act, 1951.* Short title.

BILL

An Act to amend The Hours of Work and  
Vacations with Pay Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

MR. SALSBERG



No. 64

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Public Schools Act**

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MR. MACLEOD

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No. 64

1951

# BILL

## An Act to amend The Public Schools Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 93 of *The Public Schools Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 316, s. 93,  
amended.

(ee) to provide milk for children of school age.

**2.** This Act may be cited as *The Public Schools Amendment Act, 1951.* Short title.

No. 64

BILL

An Act to amend The Public Schools Act

*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

Mr. MacLEOD

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Hours of Work and Vacations with Pay Act

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MR. SALSBERG

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# BILL

## An Act to amend The Hours of Work and Vacations with Pay Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of *The Hours of Work and Vacations with Pay Act* is amended by adding thereto the following clause: Rev. Stat., c. 173, s. 1, amended.

(f) "wage rates" or "wage rate" mean the basis of the calculation of the wages paid to an employee whether such basis of calculation is with reference to the period of time worked or on a piece work basis or as a commission on volume or value of results or on any incentive or other basis or any combination thereof.

**2.** Section 2 of *The Hours of Work and Vacations with Pay Act* is repealed and the following substituted therefor: Rev. Stat., c. 173, s. 2, re-enacted.

2.—(1) Subject to this Act, the working hours of an employee in any industrial undertaking shall not exceed eight in any one day and forty in any one week and every employer shall establish such working hours in his industrial undertaking. Limitations of hours of work.

(2) Every employer establishing a working week of forty hours, who prior to the coming into force of this Act had in effect in his industrial undertaking a regular working week in excess of forty hours, shall, upon the establishment of a working week of forty hours, pay such wage rates as will give each employee at least the equivalent weekly earnings for a working week of forty hours as he received previously for a working week in excess of forty hours. Same take-home pay.

(3) Any work performed by an employee in excess of eight hours in any one day shall be paid for by his employer at the overtime rate of not less than time and one-half the regular rate paid such employee. Overtime pay.

Rev. Stat.,  
c. 173, s. 10,  
amended.

3. Section 10 of *The Hours of Work and Vacations with Pay Act* is amended by adding thereto the following clause:

- (j) prescribing the compensation which shall be payable by employers to their employees for the purpose of ensuring that there is no reduction in earnings because of the limitation of hours of work as provided by this Act.

Short title.

4. This Act may be cited as *The Hours of Work and Vacations with Pay Amendment Act, 1951*.









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BILL

An Act to amend The Hours of Work and  
Vacations with Pay Act

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*1st Reading*

February 2nd, 1951

*2nd Reading*

*3rd Reading*

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MR. SALSBERG

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No. 66

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Workmen's Compensation Act**

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MR. DALEY

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#### EXPLANATORY NOTES

SECTION 1: At the present time compensation is not payable to an injured workman unless he is disabled from earning full wages for at least seven days.

This period is reduced to five days.

The effective date for this change is January 1st, 1952 (see section 9 of this bill).

SECTION 2: The provision is repealed as it is obsolete. It reads as follows:

- (7) Compensation payable in respect of an accident happening elsewhere than in Ontario shall, except where the employer has fully contributed to the accident fund in respect of all the wages of workmen in his employ who are engaged in the business or work in which the accident happens, be paid by the employer individually, and the business or work carried on elsewhere than in Ontario by an employer who has not so contributed to the accident fund shall be deemed to be in Schedule 2.

SECTION 3: At the present time compensation is based upon maximum wages of \$3,000 per year.

This is raised to \$4,000.

The effective date for this change is January 1st, 1952 (see section 9 of this bill).

SECTION 4: As the Act now stands, the Board, on application of an employer who is individually liable to pay compensation, may allow him to commute his liability for an amount equal to 75% of the annual value of the periodical payments.

The amendment provides for payment to the Board of 100% of the liability.

# BILL

## An Act to amend The Workmen's Compensation Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Clause *a* of subsection 1 of section 3 and subsection 1 of section 50 of *The Workmen's Compensation Act* are amended by striking out the word "seven" in the second line and in the third line respectively and inserting in lieu thereof in each instance the word "five".

Rev. Stat.,  
c. 430, s. 3,  
subs. 1, cl. *a*;  
s. 50, subs. 1,  
amended.

**2.** Subsection 7 of section 6 of *The Workmen's Compensation Act* is repealed.

Rev. Stat.,  
c. 430, s. 6,  
subs. 7,  
repealed.

**3.** Section 11, subsection 1 of section 43 and subsection 1 of section 97 of *The Workmen's Compensation Act* are amended by striking out the symbol and figures "\$3,000" in the fifth line, in the fourth line and in the third line respectively and inserting in lieu thereof in each instance the symbol and figures "\$4,000".

Rev. Stat.,  
c. 430, s. 11;  
s. 43, subs. 1;  
s. 97, subs. 1,  
amended.

**4.** Subsection 1 of section 27 of *The Workmen's Compensation Act* is amended by inserting after the word "equal" in the seventh line the word "either" and by inserting after the word "value" in the eighth line the words "or the full annual value", so that the subsection shall read as follows:

Rev. Stat.,  
c. 430, s. 27,  
subs. 1,  
amended.

- (1) Where a weekly or other periodical payment is payable by the employer individually and has been continued for not less than six months, the Board may on the application of the employer allow the liability therefor to be commuted by the payment of a lump sum of such an amount as, if the disability is permanent, would purchase an immediate annuity from a life insurance company approved by the Board, equal either to 75 per cent of the annual value or the full annual value of the weekly or other periodical payments, and in other cases of such an amount as the Board may deem reasonable.

Commuta-  
tion of  
weekly  
payments.

Rev. Stat.,  
c. 430, s. 36,  
subs. 1, cl. a,  
amended. **5.**—(1) Clause *a* of subsection 1 of section 36 of *The Workmen's Compensation Act* is amended by striking out the symbol and figures "\$125" in the second line and inserting in lieu thereof the symbol and figures "\$200".

Rev. Stat.,  
c. 430, s. 36,  
subs. 1, cl. b,  
amended. (2) Clause *b* of subsection 1 of the said section 36 is amended by striking out the word "transferred" in the second line and inserting in lieu thereof the word "transported" and by striking out the words, symbol and figures "not exceeding \$125" in the third and fourth lines, so that the clause shall read as follows:

- (b) where owing to the circumstances of the case the body of the workman is transported for a considerable distance for burial, a further sum for necessary extra expenses of the burial thus entailed;

Rev. Stat.,  
c. 430, s. 36,  
subs. 3, 5,  
amended. (3) Subsections 3 and 5 of the said section 36 are amended by striking out the symbol and figures "\$100" in the second line and in the fourth line respectively and inserting in lieu thereof in each instance the symbol and figures "\$200".

Rev. Stat.,  
c. 430, s. 50,  
subs. 1, 2,  
amended. **6.**—(1) Subsection 1, as amended by section 1 of this Act, and subsection 2 of section 50 of *The Workmen's Compensation Act* are amended by inserting after the words "*The Drugless Practitioners Act*" in the fifth line and in the third line respectively the words "the aid of chiropodists registered under *The Chiropody Act*", so that the subsections shall read as follows:

Medical and  
surgical aid  
during dis-  
ability.

- (1) Every workman entitled to compensation under this Part, or who would have been so entitled had he been disabled for five days, shall be entitled to such medical, surgical and dental aid, the aid of drugless practitioners registered under *The Drugless Practitioners Act*, the aid of chiropodists registered under *The Chiropody Act*, and hospital and skilled nursing services, and in the discretion of the Board where a workman is rendered helpless through permanent total disability, such other treatment, services or attendance as may be necessary as a result of the injury, and shall be entitled to such artificial member or members and apparatus and dental appliances and apparatus as may be necessary as a result of the injury, and to have the same kept in repair or replaced when deemed necessary by the Board.

Rev. Stat.,  
cc. 110, 54.

Interpre-  
tation.

- (2) In this Act, "medical aid" means the medical, surgical and dental aid, the aid of drugless prac-



SECTION 5: Subsection 1. The maximum amount that may be allowed for the burial of a workman who has died as the result of a compensable accident is increased from \$125 to \$200.

Subsection 2. Where the body of a workman who has died as the result of a compensable accident is transported for a considerable distance for burial, compensation includes a sum for the necessary expense thus entailed. The present maximum of \$125 is removed.

Subsection 3. The present Act provides for an immediate lump sum payment of \$100 (in addition to all other compensation) to the widow of a workman who has died as the result of a compensable accident.

This lump sum payment is increased to \$200.

SECTIONS 6 and 7: Self explanatory.



tioners registered under *The Drugless Practitioners Act*, the aid of chiropodists registered under *The Chiropody Act*, and hospital and skilled nursing services, and where a workman is rendered helpless through permanent total disability, such other treatment, services or attendance and the artificial member or members and apparatus and repair above-mentioned.

(2) Subsection 6 of the said section 50 is amended by inserting after the word "furnished" where it occurs the second time in the second line the words "and as to payment for medical aid", so that the subsection shall read as follows:

Rev. Stat.,  
c. 430, s. 50,  
subs. 6,  
amended.

(6) All questions as to the necessity, character and sufficiency of any medical aid furnished or to be furnished and as to payment for medical aid shall be determined by the Board.

Determina-  
tion of  
medical aid  
questions.

(3) Subsection 7 of the said section 50 is repealed and the following substituted therefor:

Rev. Stat.,  
c. 430, s. 50,  
subs. 7,  
re-enacted.

(7) The fees or charges for medical aid shall not be more than would be properly and reasonably charged to the workman if he was paying them himself, and the amount thereof shall be determined by the Board, and no action for any amount larger than that determined by the Board under this subsection shall lie against the Board and no action in respect of such fees and charges shall lie against the injured workman, his employer or any other person.

Amount of  
charges for  
medical aid.

(4) The said section 50 is further amended by adding thereto the following subsection:

Rev. Stat.,  
c. 430, s. 50,  
amended.

(7a) Where accounts for payment of medical aid are not received by the Board within such time as the Board may prescribe, the Board may impose such penalty by way of a percentage reduction in the amount of the account as it may prescribe.

Rendering of  
accounts for  
medical aid.

7. Section 51 of *The Workmen's Compensation Act* is amended by striking out the words "and hospital official" in the first line and inserting in lieu thereof the words "hospital official or other person", so that the section shall read as follows:

Rev. Stat.,  
c. 430, s. 51,  
amended.

51. Every physician, surgeon, hospital official or other person attending, consulted respecting, or having the care of any workman shall furnish to the Board

Duty to  
furnish  
reports to  
Board.

from time to time, without additional charge, such reports as may be required by the Board in respect of such workman.

Rev. Stat.,  
c. 430, s. 123,  
subs. 2,  
amended.

**8.** Subsection 2 of section 123 of *The Workmen's Compensation Act* is amended by adding at the end thereof the word and figures "or 89", so that the subsection shall read as follows:

Farming  
industry.

(2) Notwithstanding anything in subsection 1, the industry of farming may be brought under Part I by application of the employer pursuant to section 88 or 89.

Commence-  
ment.

**9.**—(1) This Act, except sections 1 and 3, subsection 1 of section 6, and section 7, shall come into force on the day it receives the Royal Assent.

Idem.

(2) Sections 1 and 3, subsection 1 of section 6, and section 7 shall come into force on the 1st day of January, 1952, and shall apply only in respect of accidents happening on or after that date.

Short title.

**10.** This Act may be cited as *The Workmen's Compensation Amendment Act, 1951*.

SECTION 8: The added reference was inadvertently omitted when the Act was being revised.

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BILL

An Act to amend The Workmen's  
Compensation Act

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*1st Reading*

February 5th, 1951

*2nd Reading*

*3rd Reading*

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MR. DALEY

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1951

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Workmen's Compensation Act

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MR. DALEY

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*(Reprinted as amended in Committee of the Whole House.)*

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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#### EXPLANATORY NOTES

SECTION 1: At the present time compensation is not payable to an injured workman unless he is disabled from earning full wages for at least seven days.

This period is reduced to five days.

The effective date for this change is January 1st, 1952 (see section 9 of this bill).

SECTION 2: The provision is repealed as it is obsolete. It reads as follows:

- (7) Compensation payable in respect of an accident happening elsewhere than in Ontario shall, except where the employer has fully contributed to the accident fund in respect of all the wages of workmen in his employ who are engaged in the business or work in which the accident happens, be paid by the employer individually, and the business or work carried on elsewhere than in Ontario by an employer who has not so contributed to the accident fund shall be deemed to be in Schedule 2.

SECTION 3: At the present time compensation is based upon maximum wages of \$3,000 per year.

This is raised to \$4,000.

The effective date for this change is January 1st, 1952 (see section 9 of this bill).

SECTION 4: As the Act now stands, the Board, on application of an employer who is individually liable to pay compensation, may allow him to commute his liability for an amount equal to 75% of the annual value of the periodical payments.

The amendment provides for payment to the Board of 100% of the liability.



# BILL

## An Act to amend The Workmen's Compensation Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of subsection 1 of section 3 and subsection 1 of section 50 of *The Workmen's Compensation Act* are amended by striking out the word "seven" in the second line and in the third line respectively and inserting in lieu thereof in each instance the word "five".

Rev. Stat.,  
c. 430, s. 3,  
subs. 1, cl. *a*;  
s. 50, subs. 1,  
amended.

2. Subsection 7 of section 6 of *The Workmen's Compensation Act* is repealed.

Rev. Stat.,  
c. 430, s. 6,  
subs. 7,  
repealed.

3. Section 11, subsection 1 of section 43 and subsection 1 of section 97 of *The Workmen's Compensation Act* are amended by striking out the symbol and figures "\$3,000" in the fifth line, in the fourth line and in the third line respectively and inserting in lieu thereof in each instance the symbol and figures "\$4,000".

Rev. Stat.,  
c. 430, s. 11;  
s. 43, subs. 1;  
s. 97, subs. 1,  
amended.

4. Subsection 1 of section 27 of *The Workmen's Compensation Act* is amended by inserting after the word "equal" in the seventh line the word "either" and by inserting after the word "value" in the eighth line the words "or the full annual value", so that the subsection shall read as follows:

Rev. Stat.,  
c. 430, s. 27,  
subs. 1,  
amended.

- (1) Where a weekly or other periodical payment is payable by the employer individually and has been continued for not less than six months, the Board may on the application of the employer allow the liability therefor to be commuted by the payment of a lump sum of such an amount as, if the disability is permanent, would purchase an immediate annuity from a life insurance company approved by the Board, equal either to 75 per cent of the annual value or the full annual value of the weekly or other periodical payments, and in other cases of such an amount as the Board may deem reasonable.

Commuta-  
tion of  
weekly  
payments.

Rev. Stat.,  
c. 430, s. 36,  
subs. 1, cl. a,  
amended. **5.**—(1) Clause *a* of subsection 1 of section 36 of *The Workmen's Compensation Act* is amended by striking out the symbol and figures "\$125" in the second line and inserting in lieu thereof the symbol and figures "\$200".

Rev. Stat.,  
c. 430, s. 36,  
subs. 1, cl. b,  
amended. (2) Clause *b* of subsection 1 of the said section 36 is amended by striking out the word "transferred" in the second line and inserting in lieu thereof the word "transported" and by striking out the words, symbol and figures "not exceeding \$125" in the third and fourth lines, so that the clause shall read as follows:

(b) where owing to the circumstances of the case the body of the workman is transported for a considerable distance for burial, a further sum for necessary extra expenses of the burial thus entailed;

Rev. Stat.,  
c. 430, s. 36,  
subs. 3, 5,  
amended. (3) Subsections 3 and 5 of the said section 36 are amended by striking out the symbol and figures "\$100" in the second line and in the fourth line respectively and inserting in lieu thereof in each instance the symbol and figures "\$200".

Rev. Stat.,  
c. 430, s. 50,  
subs. 1, 2,  
amended. **6.**—(1) Subsection 1, as amended by section 1 of this Act, and subsection 2 of section 50 of *The Workmen's Compensation Act* are amended by inserting after the words "*The Drugless Practitioners Act*" in the fifth line and in the third line respectively the words "the aid of chiropodists registered under *The Chiropody Act*", so that the subsections shall read as follows:

Medical and  
surgical aid  
during dis-  
ability.

(1) Every workman entitled to compensation under this Part, or who would have been so entitled had he been disabled for five days, shall be entitled to such medical, surgical and dental aid, the aid of drugless practitioners registered under *The Drugless Practitioners Act*, the aid of chiropodists registered under *The Chiropody Act*, and hospital and skilled nursing services, and in the discretion of the Board where a workman is rendered helpless through permanent total disability, such other treatment, services or attendance as may be necessary as a result of the injury, and shall be entitled to such artificial member or members and apparatus and dental appliances and apparatus as may be necessary as a result of the injury, and to have the same kept in repair or replaced when deemed necessary by the Board.

Rev. Stat.,  
cc. 110, 54.

Interpre-  
tation.

(2) In this Act, "medical aid" means the medical, surgical and dental aid, the aid of drugless prac-

SECTION 5: Subsection 1. The maximum amount that may be allowed for the burial of a workman who has died as the result of a compensable accident is increased from \$125 to \$200.

Subsection 2. Where the body of a workman who has died as the result of a compensable accident is transported for a considerable distance for burial, compensation includes a sum for the necessary expense thus entailed. The present maximum of \$125 is removed.

Subsection 3. The present Act provides for an immediate lump sum payment of \$100 (in addition to all other compensation) to the widow of a workman who has died as the result of a compensable accident.

This lump sum payment is increased to \$200.

SECTIONS 6 and 7: Self explanatory.



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(2) Subsection 6 of the said section 50 is amended by inserting after the word "furnished" where it occurs the second time in the second line the words "and as to payment for medical aid", so that the subsection shall read as follows:

Rev. Stat.,  
c. 430, s. 50,  
subs. 6,  
amended.

(6) All questions as to the necessity, character and sufficiency of any medical aid furnished or to be furnished and as to payment for medical aid shall be determined by the Board.

Determina-  
tion of  
medical aid  
questions.

(3) Subsection 7 of the said section 50 is repealed and the following substituted therefor:

Rev. Stat.,  
c. 430, s. 50,  
subs. 7,  
re-enacted.

(7) The fees or charges for medical aid shall not be more than would be properly and reasonably charged to the workman if he was paying them himself, and the amount thereof shall be determined by the Board, and no action for any amount larger than that determined by the Board under this subsection shall lie against the Board and no action in respect of such fees and charges shall lie against the injured workman, his employer or any other person.

Amount of  
charges for  
medical aid.

(4) The said section 50 is further amended by adding thereto the following subsection:

Rev. Stat.,  
c. 430, s. 50,  
amended.

(7a) Where accounts for payment of medical aid are not received by the Board within such time as the Board may prescribe, the Board may impose such penalty by way of a percentage reduction in the amount of the account as it may prescribe.

Rendering of  
accounts for  
medical aid.

7. Section 51 of *The Workmen's Compensation Act* is amended by striking out the words "and hospital official" in the first line and inserting in lieu thereof the words "hospital official or other person", so that the section shall read as follows:

Rev. Stat.,  
c. 430, s. 51,  
amended.

51. Every physician, surgeon, hospital official or other person attending, consulted respecting, or having the care of any workman shall furnish to the Board

Duty to  
furnish  
reports to  
Board.

from time to time, without additional charge, such reports as may be required by the Board in respect of such workman.

Rev. Stat.,  
c. 430,  
amended.

**8.** *The Workmen's Compensation Act* is amended by adding thereto the following section:

Real  
property.

67a. Subject to the approval of the Lieutenant-Governor in Council, the Board may purchase or otherwise acquire such real property as it may deem necessary for its purposes, and may, with the like approval, sell or otherwise dispose of any such property.

Rev. Stat.,  
c. 430, s. 123,  
subs. 2,  
amended.

**9.** Subsection 2 of section 123 of *The Workmen's Compensation Act* is amended by adding at the end thereof the word and figures "or 89", so that the subsection shall read as follows:

Farming  
industry.

(2) Notwithstanding anything in subsection 1, the industry of farming may be brought under Part I by application of the employer pursuant to section 88 or 89.

Commence-  
ment.

**10.**—(1) This Act, except sections 1 and 3, subsection 1 of section 6, and section 7, shall come into force on the day it receives the Royal Assent.

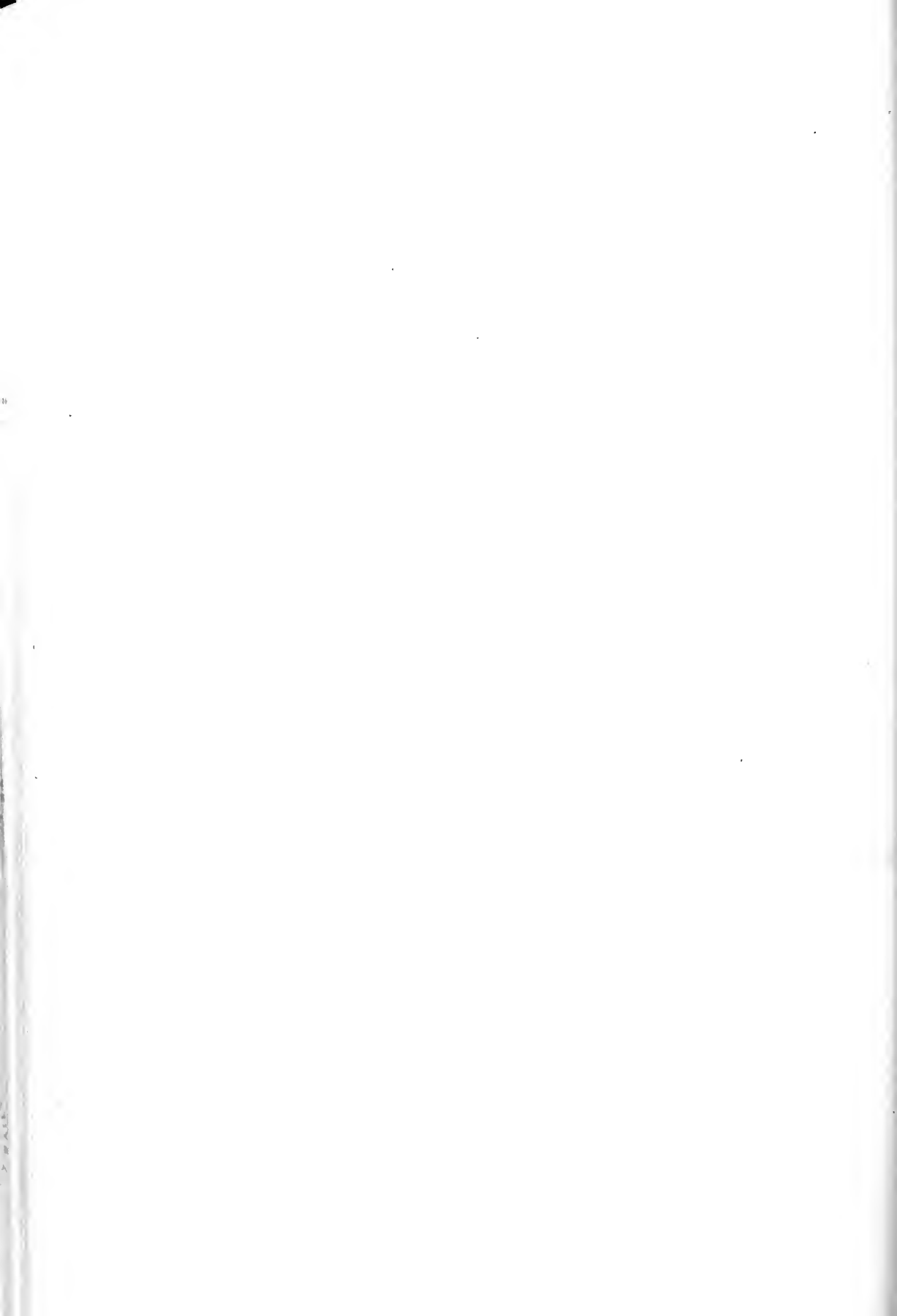
Idem.

(2) Sections 1 and 3, subsection 1 of section 6, and section 7 shall come into force on the 1st day of January, 1952, and shall apply only in respect of accidents happening on or after that date.

Short title.

**11.** This Act may be cited as *The Workmen's Compensation Amendment Act, 1951*.

SECTION 9: The added reference was inadvertently omitted when the Act was being revised.







BILL

An Act to amend The Workmen's  
Compensation Act

*1st Reading*

February 5th, 1951

*2nd Reading*

February 14th, 1951

*3rd Reading*

MR. DALEY

(*Reprinted as amended in Committee of the  
Whole House.*)

No. 66

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Workmen's Compensation Act

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MR. DALEY

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



# BILL

## An Act to amend The Workmen's Compensation Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of subsection 1 of section 3 and subsection 1 of section 50 of *The Workmen's Compensation Act* are amended by striking out the word "seven" in the second line and in the third line respectively and inserting in lieu thereof in each instance the word "five".

Rev. Stat.,  
c. 430, s. 3,  
subs. 1, cl. *a*;  
s. 50, subs. 1,  
amended.

2. Subsection 7 of section 6 of *The Workmen's Compensation Act* is repealed.

Rev. Stat.,  
c. 430, s. 6,  
subs. 7,  
repealed.

3. Section 11, subsection 1 of section 43 and subsection 1 of section 97 of *The Workmen's Compensation Act* are amended by striking out the symbol and figures "\$3,000" in the fifth line, in the fourth line and in the third line respectively and inserting in lieu thereof in each instance the symbol and figures "\$4,000".

Rev. Stat.,  
c. 430, s. 11;  
s. 43, subs. 1;  
s. 97, subs. 1,  
amended.

4. Subsection 1 of section 27 of *The Workmen's Compensation Act* is amended by inserting after the word "equal" in the seventh line the word "either" and by inserting after the word "value" in the eighth line the words "or the full annual value", so that the subsection shall read as follows:

Rev. Stat.,  
c. 430, s. 27,  
subs. 1,  
amended.

- (1) Where a weekly or other periodical payment is payable by the employer individually and has been continued for not less than six months, the Board may on the application of the employer allow the liability therefor to be commuted by the payment of a lump sum of such an amount as, if the disability is permanent, would purchase an immediate annuity from a life insurance company approved by the Board, equal either to 75 per cent of the annual value or the full annual value of the weekly or other periodical payments, and in other cases of such an amount as the Board may deem reasonable.

Commuta-  
tion of  
weekly  
payments.

Rev. Stat.,  
c. 430, s. 36,  
subs. 1, cl. a,  
amended.

5.—(1) Clause *a* of subsection 1 of section 36 of *The Workmen's Compensation Act* is amended by striking out the symbol and figures "\$125" in the second line and inserting in lieu thereof the symbol and figures "\$200".

Rev. Stat.,  
c. 430, s. 36,  
subs. 1, cl. b,  
amended.

(2) Clause *b* of subsection 1 of the said section 36 is amended by striking out the word "transferred" in the second line and inserting in lieu thereof the word "transported" and by striking out the words, symbol and figures "not exceeding \$125" in the third and fourth lines, so that the clause shall read as follows:

(b) where owing to the circumstances of the case the body of the workman is transported for a considerable distance for burial, a further sum for necessary extra expenses of the burial thus entailed;

. . . . .

Rev. Stat.,  
c. 430, s. 36,  
subs. 3, 5,  
amended.

(3) Subsections 3 and 5 of the said section 36 are amended by striking out the symbol and figures "\$100" in the second line and in the fourth line respectively and inserting in lieu thereof in each instance the symbol and figures "\$200".

Rev. Stat.,  
c. 430, s. 50,  
subs. 1, 2,  
amended.

6.—(1) Subsection 1, as amended by section 1 of this Act, and subsection 2 of section 50 of *The Workmen's Compensation Act* are amended by inserting after the words "*The Drugless Practitioners Act*" in the fifth line and in the third line respectively the words "the aid of chiropodists registered under *The Chiropody Act*", so that the subsections shall read as follows:

Medical and  
surgical aid  
during dis-  
ability.

(1) Every workman entitled to compensation under this Part, or who would have been so entitled had he been disabled for five days, shall be entitled to such medical, surgical and dental aid, the aid of drugless practitioners registered under *The Drugless Practitioners Act*, the aid of chiropodists registered under *The Chiropody Act*, and hospital and skilled nursing services, and in the discretion of the Board where a workman is rendered helpless through permanent total disability, such other treatment, services or attendance as may be necessary as a result of the injury, and shall be entitled to such artificial member or members and apparatus and dental appliances and apparatus as may be necessary as a result of the injury, and to have the same kept in repair or replaced when deemed necessary by the Board.

Rev. Stat.,  
cc. 110, 54.

Interpre-  
tation.

(2) In this Act, "medical aid" means the medical, surgical and dental aid, the aid of drugless prac-

tioners registered under *The Drugless Practitioners Act*, the aid of chiropodists registered under *The Chiropody Act*, and hospital and skilled nursing services, and where a workman is rendered helpless through permanent total disability, such other treatment, services or attendance and the artificial member or members and apparatus and repair above-mentioned.

(2) Subsection 6 of the said section 50 is amended by inserting after the word "furnished" where it occurs the second time in the second line the words "and as to payment for medical aid", so that the subsection shall read as follows:

Rev. Stat.,  
cc. 110, 54.  
c. 430, s. 50,  
subs. 6,  
amended.

(6) All questions as to the necessity, character and sufficiency of any medical aid furnished or to be furnished and as to payment for medical aid shall be determined by the Board.

Determina-  
tion of  
medical aid  
questions.

(3) Subsection 7 of the said section 50 is repealed and the following substituted therefor:

Rev. Stat.,  
c. 430, s. 50,  
subs. 7,  
re-enacted.

(7) The fees or charges for medical aid shall not be more than would be properly and reasonably charged to the workman if he was paying them himself, and the amount thereof shall be determined by the Board, and no action for any amount larger than that determined by the Board under this subsection shall lie against the Board and no action in respect of such fees and charges shall lie against the injured workman, his employer or any other person.

Amount of  
charges for  
medical aid.

(4) The said section 50 is further amended by adding thereto the following subsection:

Rev. Stat.,  
c. 430, s. 50,  
amended.

(7a) Where accounts for payment of medical aid are not received by the Board within such time as the Board may prescribe, the Board may impose such penalty by way of a percentage reduction in the amount of the account as it may prescribe.

Rendering of  
accounts for  
medical aid.

7. Section 51 of *The Workmen's Compensation Act* is amended by striking out the words "and hospital official" in the first line and inserting in lieu thereof the words "hospital official or other person", so that the section shall read as follows:

Rev. Stat.,  
c. 430, s. 51,  
amended.

51. Every physician, surgeon, hospital official or other person attending, consulted respecting, or having the care of any workman shall furnish to the Board

Duty to  
furnish  
reports to  
Board.

from time to time, without additional charge, such reports as may be required by the Board in respect of such workman.

Rev. Stat.,  
c. 430,  
amended.

**8.** *The Workmen's Compensation Act* is amended by adding thereto the following section:

Real  
property.

**67a.** Subject to the approval of the Lieutenant-Governor in Council, the Board may purchase or otherwise acquire such real property as it may deem necessary for its purposes, and may, with the like approval, sell or otherwise dispose of any such property.

Rev. Stat.,  
c. 430, s. 123,  
subs. 2,  
amended.

**9.** Subsection 2 of section 123 of *The Workmen's Compensation Act* is amended by adding at the end thereof the word and figures "or 89", so that the subsection shall read as follows:

Farming  
industry.

(2) Notwithstanding anything in subsection 1, the industry of farming may be brought under Part I by application of the employer pursuant to section 88 or 89.

Commence-  
ment.

**10.**—(1) This Act, except sections 1 and 3, subsection 1 of section 6, and section 7, shall come into force on the day it receives the Royal Assent.

Idem.

(2) Sections 1 and 3, subsection 1 of section 6, and section 7 shall come into force on the 1st day of January, 1952, and shall apply only in respect of accidents happening on or after that date.

Short title.

**11.** This Act may be cited as *The Workmen's Compensation Amendment Act, 1951*.





BILL

An Act to amend The Workmen's  
Compensation Act

*1st Reading*

February 5th, 1951

*2nd Reading*

February 14th, 1951

*3rd Reading*

February 27th, 1951

MR. DALEY

No. 67

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Railway Fire Charge Act

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MR. SCOTT (Peterborough)

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TORONTO

PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

SECTION 1: The maximum annual charge that may be made by the Crown against the owners or tenants of railway lands for fire protection is increased from \$10 to \$15 per square mile. This change will bring the charge into line with the similar charge imposed under *The Crown Timber Act* in respect of Crown lands under timber licences.

SECTION 2: The date on which the fire protection charge imposed by *The Railway Fire Charge Act* is due and payable is changed from April 1st to May 1st to bring it into line with the date on which the fire protection charge imposed by *The Crown Timber Act* is due and payable.

SECTION 3: The interest rate on arrears of charges imposed by *The Railway Fire Charge Act* is reduced and brought into line with the rate applicable under similar circumstances under *The Crown Timber Act*.

No. 67

1951

# BILL

## An Act to amend The Railway Fire Charge Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The Railway Fire Charge Act* is amended by striking out the symbol and figures " \$10 " in the sixth line and inserting in lieu thereof the symbol and figures " \$15 ", so that the subsection shall read as follows: Rev. Stat., c. 330, s. 2, subs. 1, amended.

- (1) The owner or tenant of any railway lands shall pay Annual charge for protection. to the Minister annually for the uses of Ontario and for the purpose of defraying the expenses of protecting the property, rights and interest of such owner or tenant against fire, for every square mile or fraction thereof of such railway lands a sum not exceeding \$15 per annum, as may be prescribed by the Lieutenant-Governor in Council from time to time.

2. Subsection 1 of section 3 of *The Railway Fire Charge Act* is amended by striking out the word "April" in the fourth line and inserting in lieu thereof the word "May", so that the subsection shall read as follows: Rev. Stat., c. 330, s. 3, subs. 1, amended.

- (1) A tenant of railway lands shall be jointly and several- Liability of tenant. ly liable with the owner for the payment of the charge imposed by this Act and it shall become due and payable on or before the 1st day of May in each year.

3. Section 9 of *The Railway Fire Charge Act* is amended by striking out the word "seven" in the second line and inserting in lieu thereof the word "six", so that the section shall read as follows: Rev. Stat., c. 330, s. 9, amended.

9. All arrears in respect to the charge imposed by this Act shall bear interest at the rate of six per cent per annum from the date when the same became payable. Arrears to bear interest.

Due date  
in 1951.

Rev. Stat.,  
c. 330.

4.—(1) Notwithstanding subsection 1 of section 3 of *The Railway Charge Act*, payment of the charge for the year 1951 shall become due and payable on or before the 1st day of June in that year.

Notice of  
charge in  
1951.

(2) Notwithstanding section 8 of *The Railway Fire Charge Act*, the collector shall, on or before the 1st day of May, 1951, cause to be inserted in *The Ontario Gazette* and in a newspaper published in each county and district in which railway lands are situate a notice of the sum prescribed under section 2 of that Act for the year 1951 and the date on which the charges imposed by that Act for the year 1951 are required to be paid.

Commence-  
ment.

5. This Act shall come into force on the day it receives the Royal Assent.

Short title.

6. This Act may be cited as *The Railway Fire Charge Amendment Act, 1951*.

SECTION 4: These provisions will enable the charges imposed under *The Railway Fire Charge Act* to be increased in the year 1951.







BILL

An Act to amend The Railway Fire  
Charge Act

*1st Reading*

February 5th, 1951

*2nd Reading*

*3rd Reading*

MR. SCOTT (Peterborough)

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Railway Fire Charge Act

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MR. SCOTT (Peterborough)

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100

100

No. 67

1951

# BILL

## An Act to amend The Railway Fire Charge Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The Railway Fire Charge Act* is amended by striking out the symbol and figures "10" in the sixth line and inserting in lieu thereof the symbol and figures "\$15", so that the subsection shall read as follows: Rev. Stat., c. 330, s. 2, subs. 1, amended.

- (1) The owner or tenant of any railway lands shall pay Annual charge for protection. to the Minister annually for the uses of Ontario and for the purpose of defraying the expenses of protecting the property, rights and interest of such owner or tenant against fire, for every square mile or fraction thereof of such railway lands a sum not exceeding \$15 per annum, as may be prescribed by the Lieutenant-Governor in Council from time to time.

2. Subsection 1 of section 3 of *The Railway Fire Charge Act* is amended by striking out the word "April" in the fourth line and inserting in lieu thereof the word "May", so that the subsection shall read as follows: Rev. Stat., c. 330, s. 3, subs. 1, amended.

- (1) A tenant of railway lands shall be jointly and severally Liability of tenant. liable with the owner for the payment of the charge imposed by this Act and it shall become due and payable on or before the 1st day of May in each year.

3. Section 9 of *The Railway Fire Charge Act* is amended by striking out the word "seven" in the second line and inserting in lieu thereof the word "six", so that the section shall read as follows: Rev. Stat., c. 330, s. 9, amended.

9. All arrears in respect to the charge imposed by this Act shall bear interest at the rate of six per cent per annum from the date when the same became payable. Arrears to bear interest.

Due date  
in 1951.  
Rev. Stat.,  
c. 330.

4.—(1) Notwithstanding subsection 1 of section 3 of *The Railway Charge Act*, payment of the charge for the year 1951 shall become due and payable on or before the 1st day of June in that year.

Notice of  
charge in  
1951.

(2) Notwithstanding section 8 of *The Railway Fire Charge Act*, the collector shall, on or before the 1st day of May, 1951, cause to be inserted in *The Ontario Gazette* and in a newspaper published in each county and district in which railway lands are situate a notice of the sum prescribed under section 2 of that Act for the year 1951 and the date on which the charges imposed by that Act for the year 1951 are required to be paid.

Commence-  
ment.

5. This Act shall come into force on the day it receives the Royal Assent.

Short title.

6. This Act may be cited as *The Railway Fire Charge Amendment Act, 1951*.









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BILL

An Act to amend The Railway Fire  
Charge Act

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*1st Reading*

February 5th, 1951

*2nd Reading*

February 13th, 1951

*3rd Reading*

February 16th, 1951

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MR. SCOTT (Peterborough)

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No. 68

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act respecting Equal Pay for Equal Work

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MR. PARK

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

## EXPLANATORY NOTES

SECTION 1. Self-explanatory.

SECTION 2. Prohibits discrimination in wage rates between men and women doing comparable work.

SECTION 3. An employer violating the provision of section 2 is liable in the amount of unpaid wages plus an additional equal amount in liquidated damages.

SECTIONS 4, 5, 6, 7 and 8. Self-explanatory.

# BILL

## An Act respecting Equal Pay for Equal Work

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpreta-  
tion.

- (a) "Board" means the Industry and Labour Board constituted under *The Department of Labour Act*; Rev. Stat.,  
c. 95.
- (b) "employee" means any person employed for hire by an employer in any lawful employment;
- (c) "employer" includes any person or corporation acting in the interest of an employer directly or indirectly and includes the Crown in right of the Province of Ontario or any emanation thereof;
- (d) "employ" means engage, suffer or permit to work.

**2.** No employer shall discriminate in any way in the payment of wages or salaries as between sexes or pay any female in his employ a salary or wage rate less than the rate paid to male employees for work of comparative character or work on comparable operations, or where comparable skills are involved. Employer  
not to dis-  
criminate.

**3.** Any employer who violates the provisions of section 2 shall be liable to the employee or employees affected in the amount of their unpaid wages and in an additional equal amount in liquidated damages. Liability of  
employer.

**4.** Upon the complaint on oath of an employee against his employer concerning any violation of this Act, a justice of the peace may summon the employer to appear before a magistrate at a time to be stated in the summons and the magistrate shall examine into the matter of the complaint and shall order payment to the employee of any wages and liquidated damages found to be due under section 3 together with costs in his discretion not exceeding \$50. Complaint  
by employee.

Where complaints may be prosecuted.

**5.** A complaint may be prosecuted and determined in any county or district in which the employer is found or in any county or district in which the employer carries on business.

Time within which proceedings may be taken.

**6.** Any proceedings taken under this Act shall be within one year after the engagement or employment has ceased or within one year after the last instalment of wages under the agreement of hiring has become due, whichever last happens.

Application of R.S.C., c. 36.

**7.** Where an order is made under this Act by a magistrate for payment of money, such order may be proceeded upon and enforced in the manner provided by section 739 of the *Criminal Code* (Canada) and that section shall apply as if the provisions thereof were enacted in and formed part of this Act.

Appeal.

**8.** An appeal from an order for payment of wages or damages or against any decision of a magistrate under this Act, except an order as to costs, shall lie to the Court of Appeal and the proceedings upon and incidental to the appeal and subsequent thereto shall be the same as nearly as may be as in the case of an appeal from a judgment from a county court.

Records.

**9.** Every employer shall, on demand of the Board or the chairman or of any person authorized in writing by the Board or by the chairman, produce for inspection all records kept by him relating to the wages paid to any person employed by him.

Offence and penalty.

**10.** An employer who violates any provision of this Act or who discharges or in any other manner discriminates against any employee because such employee has made a complaint to his employer or instituted or caused to be instituted any proceedings under or related to this Act or has testified or is about to testify in any such proceedings shall upon conviction thereof be liable to a fine of not more than \$500 or to imprisonment for not more than six months or to both fine and imprisonment.

Commencement.

**11.** This Act shall come into force six months after the day it receives the Royal Assent.

Short title.

**12.** This Act may be cited as *The Equal Pay for Equal Work Act, 1951*.

SECTION 9. Records must be produced for inspection on demand of the Industry and Labour Board.

SECTION 10. Penalty for intimidation.

SECTION 11. A period of six months is provided for before the Act comes into effect, in order to give employers time to make the necessary adjustments in women's wages schedules.







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BILL

An Act respecting Equal Pay for  
Equal Work

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*1st Reading*

February 5th, 1951

*2nd Reading*

*3rd Reading*

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MR. PARK

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No. 69

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Liquor Licence Act

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MR. MILLARD

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

SECTION 1. *The Liquor Licence Act* provides that no stores shall be established and no premises licensed in so-called "local option areas" until an affirmative vote has been registered as provided in section 69. There are many municipalities, however, in which no local option by-law was previously in force, but in which no facilities for the sale of liquor have existed. The purpose of this Bill is to provide that no liquor, beer or wine store shall be established in such a municipality unless the people living there vote for it. They are already protected against the establishment of licensed premises by section 23 of the Act.

SECTION 2. The amendment is necessary to provide for the taking of the vote contemplated in the new subsection which is added to section 68.

No. 69

1951

# BILL

## An Act to amend The Liquor Licence Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 68 of *The Liquor Licence Act* is amended by adding thereto the following subsection: Rev. Stat., c. 211, s. 68, amended.

- (2) Except as provided by this Act and the regulations, Idem. no government store for the sale of liquor and no store for the sale of beer only shall be established and no Ontario wine store shall be authorized in any municipality where no such store is at the time in operation until a vote has been taken in the manner provided in section 69.

2. Subsection 1 of section 69 of *The Liquor Licence Act* is amended by inserting after the word "force" in the second line the words "or in which a government store for the sale of liquor or a store for the sale of beer only or an Ontario wine store is not at the time in operation", so that the subsection, exclusive of the questions, shall read as follows: Rev. Stat., c. 211, s. 69, subs. 1, amended.

- (1) The council of any municipality in which a by-law mentioned in section 68 is in force or in which a government store for the sale of liquor or a store for the sale of beer only or an Ontario wine store is not at the time in operation may submit to a vote of the persons qualified to be entered on the voters' list and to vote at elections to the Assembly in the municipality, any of the following questions: Submission of question.

. . . . .

3. This Act may be cited as *The Liquor Licence Amendment Act, 1951*. Short title.

BILL

An Act to amend The Liquor Licence Act

*1st Reading*

February 5th, 1951

*2nd Reading*

*3rd Reading*

MR. MULLARD

No. 70

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Municipal Act

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MR. PARK

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTE

The purpose of this bill is to require that every candidate for municipal office publish a sworn statement showing the source of funds used in his election campaign and the purposes for which they are spent.



No. 70

1951

# BILL

## An Act to amend The Municipal Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 198 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 243, s. 198,  
amended.

(3) Every candidate, within thirty days following the election, shall cause to be published in a newspaper published in the municipality, or if no newspaper is published in the municipality then in a newspaper regularly circulated in the municipality, a sworn statement showing, Statement  
of expenses  
and con-  
tributions.

(a) the total amount expended in respect of the election campaign by him or by any person or group of persons acting in his behalf, with an itemized statement of all expenditures of amounts in excess of \$25, showing to whom the amounts were paid and for what purpose; and

(b) the total amount received by him or by any person or group of persons acting in his behalf as contributions to assist his election, with an itemized statement of all contributions of amounts in excess of \$25, showing from whom the contributions were received.

Short title.

**2.** This Act may be cited as *The Municipal Amendment Act, 1951*.

BILL

An Act to amend The Municipal Act

*1st Reading*

February 6th, 1951

*2nd Reading*

*3rd Reading*

MR. PARK

No. 71

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Change of Name Act

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MR. PORTER

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TORONTO  
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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

SECTIONS 1, 2, 3 (1), 4. With the amendments of recent years authorizing married women to apply under the Act, it has been impossible, in instances of applicants who became British subjects by marriage, to comply with the requirement of the filing of a naturalization certificate. Further the certificate now given under *The Canadian Citizenship Act* (Canada) is not designated as a naturalization certificate. These amendments bring the Act into line with the present legal position so as to permit the use of either a naturalization or a citizenship certificate.

SECTION 3: Subsection 2. This amendment arises out of the re-enactment of the federal Bankruptcy Act.

No. 71

1951

# BILL

## An Act to amend The Change of Name Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 2 of *The Change of Name Act* Rev. Stat., c. 47, s. 2, subs. 3, amended. is amended by striking out the words "by birth or by naturalization" in the first line, so that the subsection shall read as follows:

- (3) Any British subject of the full age of 21 years who effected a change of name in Ontario under any right which existed at law prior to the 26th day of June, 1939, may make an application under this Act to change his name from the name he bore prior to the change to the name he bears as a result of the change, as though the change had not been effected. Application where name changed prior to June 26, 1939.

2. Subsection 1 of section 3 of *The Change of Name Act* Rev. Stat., c. 47, s. 3, subs. 1, amended. is amended by striking out the words "by birth or naturalization" in the first and second lines, so that the subsection shall read as follows:

- (1) Every applicant shall be a British subject of the full age of 21 years. Applicant to be British subject 21 years of age.

3.—(1) Clause *e* of subsection 1 of section 12 of *The Change of Name Act* is amended by striking out the word "naturalization" in the first line, so that the clause shall read as follows: Rev. Stat., c. 47, s. 12, subs. 1, cl. e, amended.

- (*e*) that he is a British subject by birth or as the case may be.

(2) Clause *b* of subsection 3 of the said section 12 is amended by striking out the words "subsection 3 of section 28 of the *Bankruptcy Act*" in the second and third lines and inserting in lieu thereof the words "section 167 of the *Bankruptcy Act, 1949*", so that the clause shall read as follows: Rev. Stat., c. 47, s. 12, subs. 3, cl. b, amended.

1949 (2nd  
Sess.), c. 7  
(Can.).

- (b) a certificate of the Registrar in Bankruptcy as to the appearance in the index book kept pursuant to section 167 of the *Bankruptcy Act, 1949* (Canada) of the name of each person of the full age of 21 years whose name may be changed as a result of the application.

Rev. Stat.,  
c. 47, s. 14,  
cl. e,  
re-enacted.

4. Clause *e* of section 14 of *The Change of Name Act* is repealed and the following substituted therefor:

- (e) if the applicant is not a British subject by birth, a notarial copy of the certificate establishing that he is a British subject.

Short title.

5. This Act may be cited as *The Change of Name Amendment Act, 1951*.









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BILL

An Act to amend The Change of  
Name Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

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MR. PORTER

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No. 71

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Change of Name Act

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MR. PORTER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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No. 71

1951

# BILL

## An Act to amend The Change of Name Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 2 of *The Change of Name Act* Rev. Stat., c. 47, s. 2, subs. 3, amended. is amended by striking out the words "by birth or by naturalization" in the first line, so that the subsection shall read as follows:

(3) Any British subject of the full age of 21 years who effected a change of name in Ontario under any right which existed at law prior to the 26th day of June, 1939, may make an application under this Act to change his name from the name he bore prior to the change to the name he bears as a result of the change, as though the change had not been effected. Application where name changed prior to June 26, 1939.

2. Subsection 1 of section 3 of *The Change of Name Act* Rev. Stat., c. 47, s. 3, subs. 1, amended. is amended by striking out the words "by birth or naturalization" in the first and second lines, so that the subsection shall read as follows:

(1) Every applicant shall be a British subject of the full age of 21 years. Applicant to be British subject 21 years of age.

3.—(1) Clause *e* of subsection 1 of section 12 of *The Change of Name Act* Rev. Stat., c. 47, s. 12, subs. 1, cl. e, amended. is amended by striking out the word "naturalization" in the first line, so that the clause shall read as follows:

(*e*) that he is a British subject by birth or as the case may be.

(2) Clause *b* of subsection 3 of the said section 12 is amended by striking out the words "subsection 3 of section 28 of the *Bankruptcy Act*" in the second and third lines and inserting in lieu thereof the words "section 167 of the *Bankruptcy Act*, 1949", so that the clause shall read as follows: Rev. Stat., c. 47, s. 12, subs. 3, cl. b, amended.

1949 (2nd  
Sess.), c. 7  
(Can.).

- (b) a certificate of the Registrar in Bankruptcy as to the appearance in the index book kept pursuant to section 167 of the *Bankruptcy Act, 1949* (Canada) of the name of each person of the full age of 21 years whose name may be changed as a result of the application.

Rev. Stat.,  
c. 47, s. 14,  
cl. e,  
re-enacted.

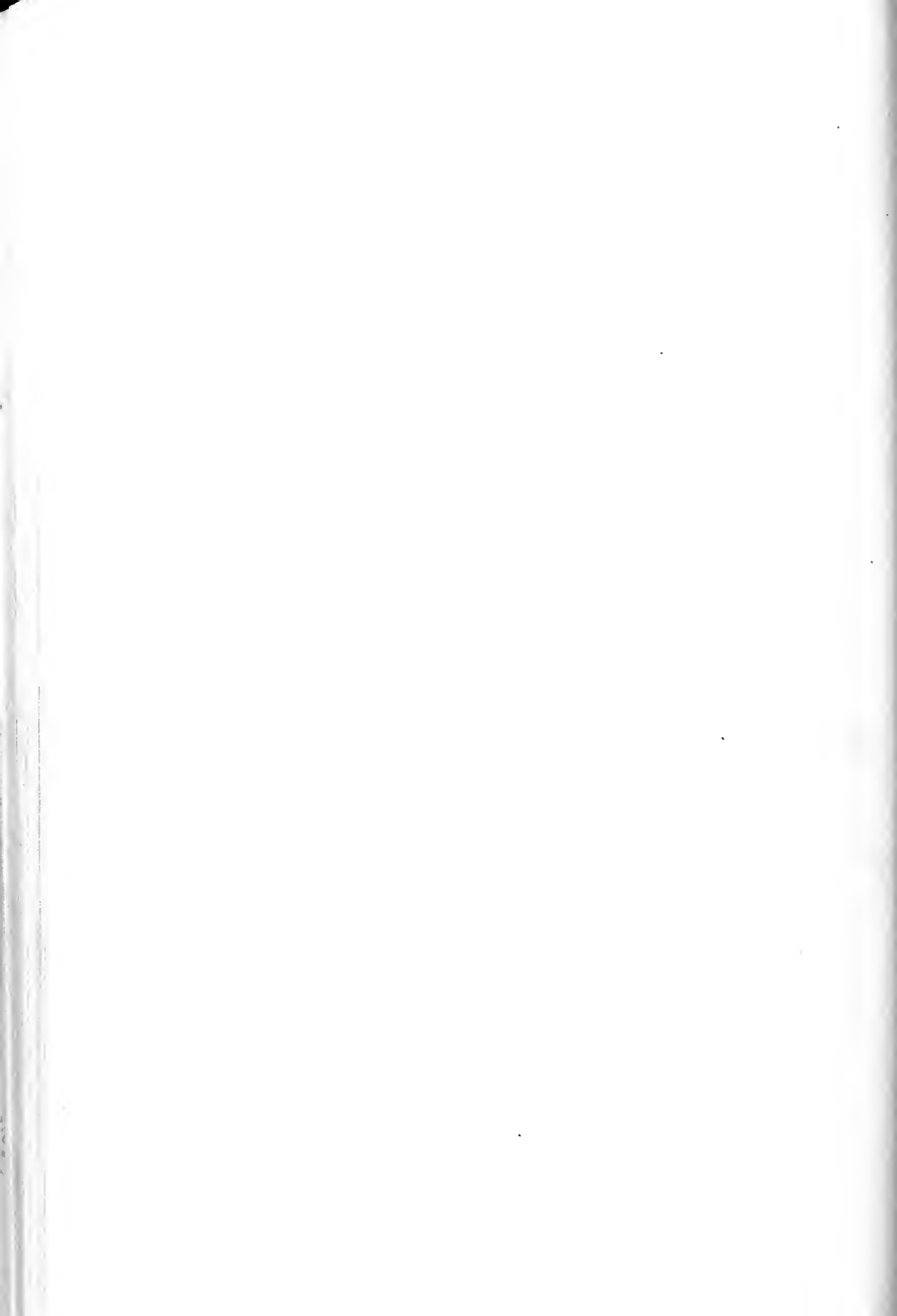
4. Clause *e* of section 14 of *The Change of Name Act* is repealed and the following substituted therefor:

- (e) if the applicant is not a British subject by birth, a notarial copy of the certificate establishing that he is a British subject.

Short title.

5. This Act may be cited as *The Change of Name Amendment Act, 1951*.









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BILL

An Act to amend The Change of  
Name Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 12th, 1951

*3rd Reading*

February 16th, 1951

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MR. PORTER

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No. 72

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Boards of Education Act**

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MR. PORTER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

SECTION 1. The amendment is to clarify the number of members which a county council may appoint to a municipal board of education. It provides that the representation shall be the same as under *The High Schools Act*, that is, at least one representative, or three at the request of the board.

SECTION 2. Union boards of education can be formed only where the boundaries of a high school district and a public school section coincide. It is essential that the board be dissolved when the areas cease to coincide, and it would be improper to permit the existing high school and public school board members to continue in office, as is now the case where a normal dissolution is effected, because their jurisdictional area would be different.

No. 72

1951

# BILL

## An Act to amend The Boards of Education Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Subsection 5 of section 7 of *The Boards of Education Act* is repealed and the following substituted therefor: Rev. Stat., c. 38, s. 7, subs. 5, re-enacted.

(5) In addition to the members elected under subsection 2 or 3, a member or members may be appointed by a Appointed members of board. county council or councils as provided in subsection 4 of section 18 and in section 19 of *The High Schools Act*, and one member may be appointed by a separate school board as provided in section 23 of *The High Schools Act*. Rev. Stat., c. 165.

**2.** Section 19 of *The Boards of Education Act* is amended by adding thereto the following subsection: Rev. Stat., c. 38, s. 19, amended.

(5) Notwithstanding subsection 2, where the high school district and public school section for which a union board of education has been formed cease to be composed of the same area, the union board of education shall *ipso facto* be dissolved as of the date the district and section cease to be composed of the same area, and the provisions of *The High Schools Act* and *The Public Schools Act* shall apply with reference to the appointment of high school trustees and the election of public school trustees respectively. Automatic dissolution. Rev. Stat., cc. 165, 316.

**3.** This Act shall come into force on the day it receives the Royal Assent. Commencement.

**4.** This Act may be cited as *The Boards of Education Amendment Act, 1951*. Short title.

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BILL

An Act to amend The Boards of  
Education Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

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MR. PORTER

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Boards of Education Act**

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MR. PORTER

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No. 72

1951

# BILL

## An Act to amend The Boards of Education Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 5 of section 7 of *The Boards of Education Act* is repealed and the following substituted therefor:
 

Rev. Stat.,  
c. 38, s. 7,  
subs. 5,  
re-enacted.
- (5) In addition to the members elected under subsection 2 or 3, a member or members may be appointed by a county council or councils as provided in subsection 4 of section 18 and in section 19 of *The High Schools Act*, and one member may be appointed by a separate school board as provided in section 23 of *The High Schools Act*.
 

Appointed  
members of  
board.  
  
Rev. Stat.,  
c. 165.
2. Section 19 of *The Boards of Education Act* is amended by adding thereto the following subsection:
 

Rev. Stat.,  
c. 38, s. 19,  
amended.
- (5) Notwithstanding subsection 2, where the high school district and public school section for which a union board of education has been formed cease to be composed of the same area, the union board of education shall *ipso facto* be dissolved as of the date the district and section cease to be composed of the same area, and the provisions of *The High Schools Act* and *The Public Schools Act* shall apply with reference to the appointment of high school trustees and the election of public school trustees respectively.
 

Automatic  
dissolution.  
  
Rev. Stat.,  
cc. 165, 316.
3. This Act shall come into force on the day it receives the Royal Assent.
 

Commence-  
ment.
4. This Act may be cited as *The Boards of Education Amendment Act, 1951*.
 

Short title.

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BILL

An Act to amend The Boards of  
Education Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 12th, 1951

*3rd Reading*

February 16th, 1951

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MR. PORTER

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No. 73

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Continuation Schools Act

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MR. PORTER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

SECTION 1. This amendment clarifies the procedures where a high school district absorbs a continuation school district, and the methods of settling the disposition of the assets and liabilities of the continuation school. It also provides for the continuance of the continuation school board until all assets, liabilities and property are disposed of.

# BILL

## An Act to amend The Continuation Schools Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 4 of *The Continuation Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 66, s. 4, subs. 3, re-enacted.

(3) Where a continuation school district is absorbed as part of a high school district the continuation school shall be dissolved as of the date of the absorption, and the high school board and the board or boards by which the continuation school was maintained shall each appoint a representative who, with the clerk of each municipality which, or any part of which, was included in the continuation school district, shall be arbitrators to value and determine the rights and obligations of the boards and municipalities with respect to, Where continuation school district absorbed as part of high school district.

(a) the assets and liabilities of the continuation school board; and

(b) the disposition of the property of the board.

(4) The secretary of the high school board of the district in which the former continuation school is located shall, within thirty days of such absorption, call a meeting of the arbitrators designated under subsection 3, who shall forthwith proceed to determine the rights and obligations of the respective boards and municipalities and report their findings to the secretary of the high school board and to the Minister. Arbitration and report.

(5) If the high school board, or any board by which the continuation school was maintained, or any municipality, disputes the award of the arbitrators, the board or municipality shall refer the matter to the Appeal.

county or district judge having jurisdiction, whose decision shall be final.

Board to  
continue to  
function.

- (6) For the purpose of this section, the board of trustees of the continuation school shall continue to function until,

(a) the assets and liabilities of the board have been distributed as provided in subsection 1 or 2; or

(b) the award of the arbitrators, or the decision of the judge on appeal therefrom, has been made under subsection 3 and the assets, liabilities and property of the board disposed of, in accordance with the award or decision.

Audit.

- (7) Where a board continues to function under subsection 6, the accounts of the board shall be subject to audit in the same manner as before the dissolution.

Rev. Stat.,  
c. 66, s. 6,  
subs. 3,  
re-enacted.

2. Subsection 3 of section 6 of *The Continuation Schools Act* is repealed and the following substituted therefor:

Interpre-  
tation.

- (3) For the purpose of subsection 2, "course of study" means,

(a) a course of study leading to a type of secondary school graduation diploma not available in the pupil's own district; or

(b) a grade XIII subject or subjects not available in the pupil's own district and required by the pupil for admission to any university or teacher-training course or for the practice of any trade, profession or calling.

Commence-  
ment.

3. This Act shall be deemed to have come into force on the 1st day of January, 1951.

Short title.

4. This Act may be cited as *The Continuation Schools Amendment Act, 1951*.

SECTION 2. Section 55 of *The High Schools Act* was amended in 1950 to clarify the meaning of "course of study". This amendment brings the definition in *The Continuation Schools Act* into agreement with that in *The High Schools Act*.







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BILL

An Act to amend The Continuation  
Schools Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

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MR. PORTER

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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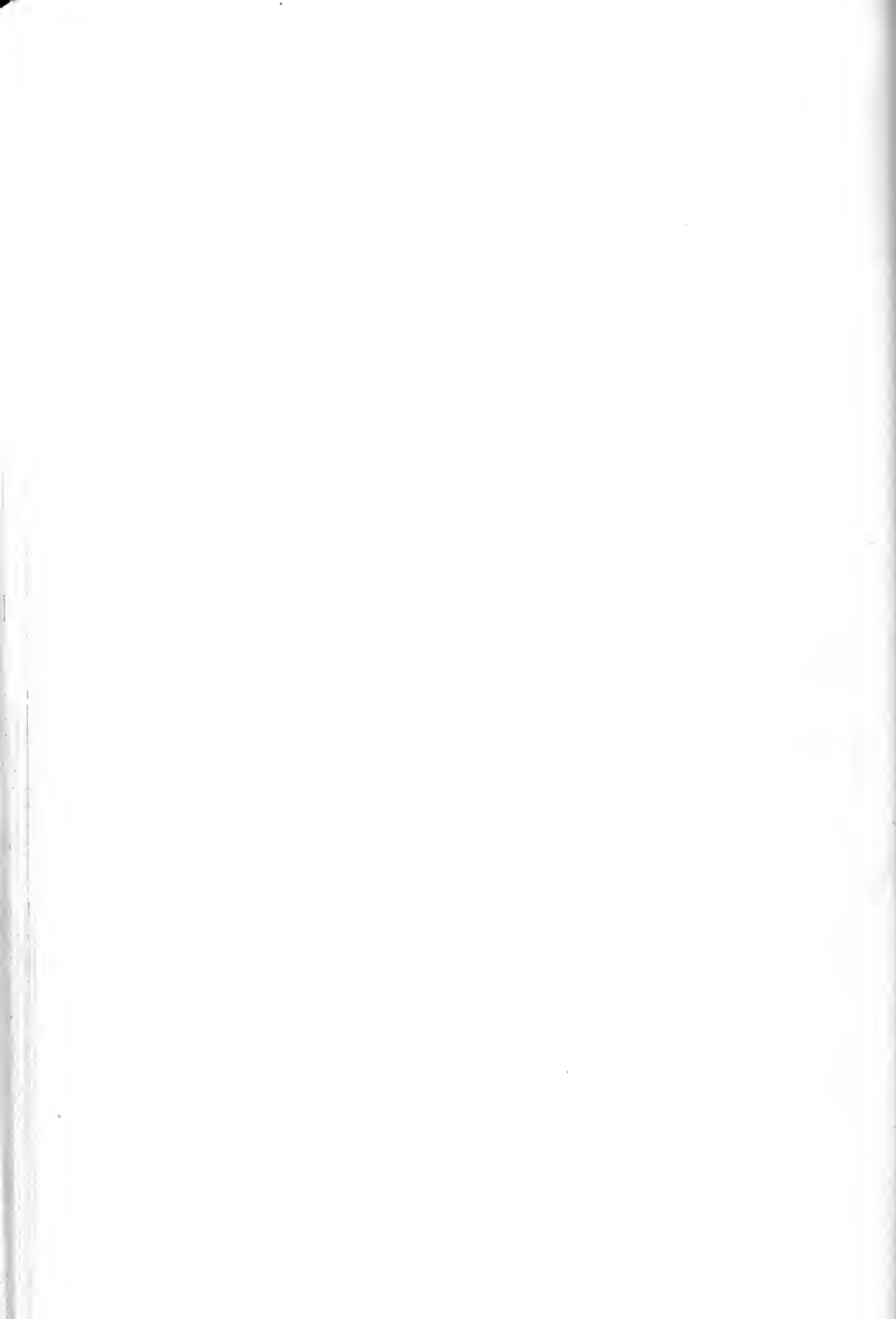
# BILL

An Act to amend The Continuation Schools Act

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MR. PORTER

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# BILL

## An Act to amend The Continuation Schools Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 4 of *The Continuation Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 66, s. 4, subs. 3, re-enacted.

- (3) Where a continuation school district is absorbed as part of a high school district the continuation school shall be dissolved as of the date of the absorption, and the high school board and the board or boards by which the continuation school was maintained shall each appoint a representative who, with the clerk of each municipality which, or any part of which, was included in the continuation school district, shall be arbitrators to value and determine the rights and obligations of the boards and municipalities with respect to, Where continuation school district absorbed as part of high school district.
- (a) the assets and liabilities of the continuation school board; and
- (b) the disposition of the property of the board.
- (4) The secretary of the high school board of the district in which the former continuation school is located shall, within thirty days of such absorption, call a meeting of the arbitrators designated under subsection 3, who shall forthwith proceed to determine the rights and obligations of the respective boards and municipalities and report their findings to the secretary of the high school board and to the Minister. Arbitration and report.
- (5) If the high school board, or any board by which the continuation school was maintained, or any municipality, disputes the award of the arbitrators, the board or municipality shall refer the matter to the Appeal.

county or district judge having jurisdiction, whose decision shall be final.

Board to  
continue to  
function.

(6) For the purpose of this section, the board of trustees of the continuation school shall continue to function until,

(a) the assets and liabilities of the board have been distributed as provided in subsection 1 or 2; or

(b) the award of the arbitrators, or the decision of the judge on appeal therefrom, has been made under subsection 3 and the assets, liabilities and property of the board disposed of, in accordance with the award or decision.

Audit.

(7) Where a board continues to function under subsection 6, the accounts of the board shall be subject to audit in the same manner as before the dissolution.

Rev. Stat.,  
c. 66, s. 6,]  
subs. 3,  
re-enacted.

**2.** Subsection 3 of section 6 of *The Continuation Schools Act* is repealed and the following substituted therefor:

Interpre-  
tation.

(3) For the purpose of subsection 2, "course of study" means,

(a) a course of study leading to a type of secondary school graduation diploma not available in the pupil's own district; or

(b) a grade XIII subject or subjects not available in the pupil's own district and required by the pupil for admission to any university or teacher-training course or for the practice of any trade, profession or calling.

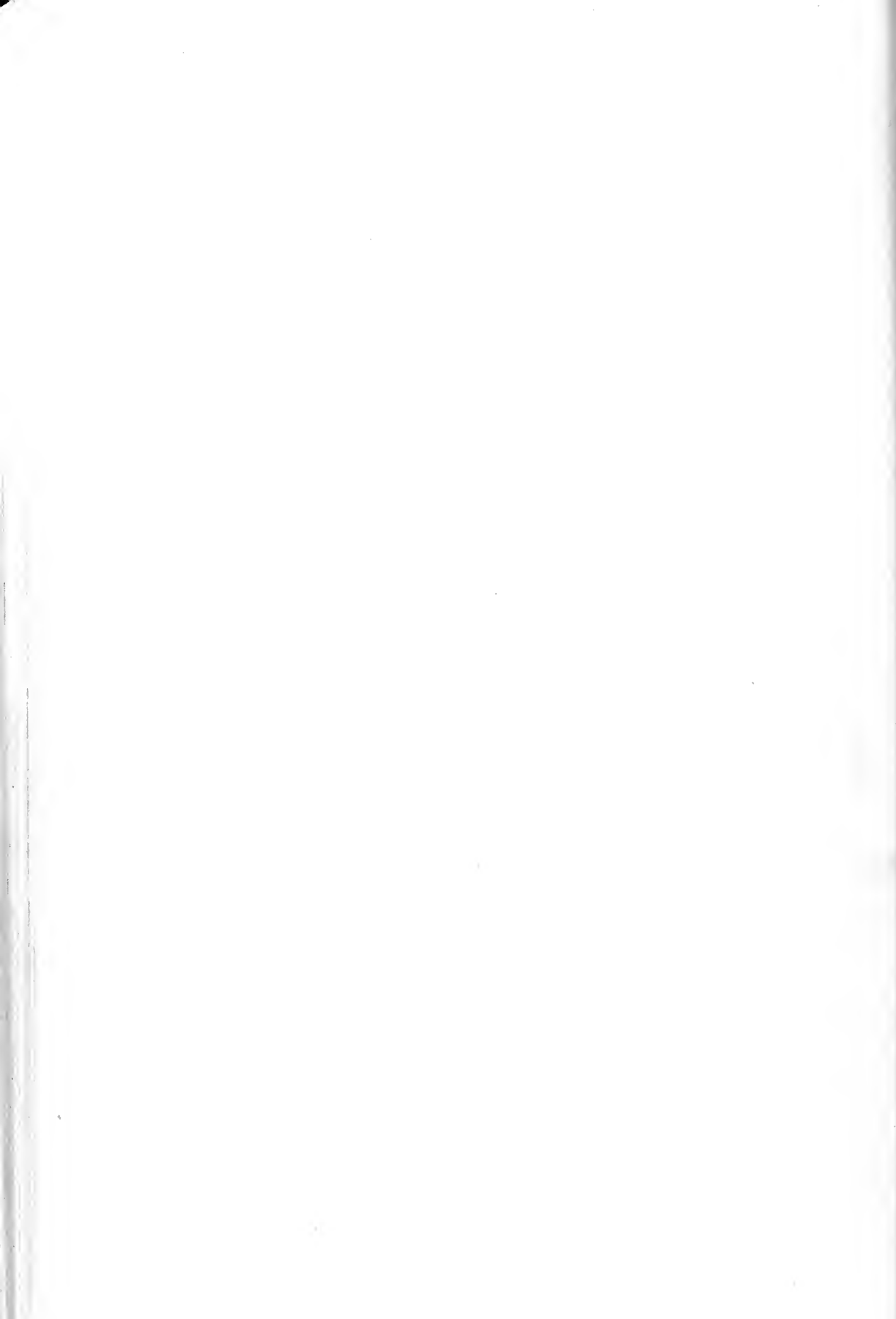
Commence-  
ment.

**3.** This Act shall be deemed to have come into force on the 1st day of January, 1951.

Short title.

**4.** This Act may be cited as *The Continuation Schools Amendment Act, 1951*.









Na 78  
**BILL**

An Act to amend The Continuation  
Schools Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 12th, 1951

*3rd Reading*

February 19th, 1951

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MR. PORTER

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Public Schools Act

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MR. PORTER

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#### EXPLANATORY NOTES

SECTION 1. This amendment provides that debentures may be issued to take care of initial payments or contributions by a school board to a pension scheme.

SECTION 2. The words struck out authorized a board to make contributions to a pension fund for teachers, officers, inspectors and employees. Boards do not contribute to teachers' and inspectors' superannuation which is provided under *The Teachers' Superannuation Act*, and the authority to contribute re officers and employees is already given under section 129.

SECTION 3. The purpose of this amendment is to make it permissible for a public school board or a board of education having jurisdiction in a township or a portion of a township, which employs one hundred teachers or more, to appoint an inspector.

# BILL

## An Act to amend The Public Schools Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 56 of *The Public Schools Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 316, s. 56,  
subs. 1,  
amended.

(h) for making initial payments or contributions to a pension scheme established under section 129.

2. Clause q of section 93 of *The Public Schools Act* is amended by striking out the words "and, if deemed expedient, to make contributions to a pension fund for the benefit of teachers, inspectors, officers and other employees of the board" at the end thereof, so that the clause shall read as follows: Rev. Stat.,  
c. 316, s. 93,  
cl. q,  
amended.

(q) to provide and pay, in the case of urban schools, salaries of inspectors, teachers, instructors and other officers and employees of the board, repairs to buildings, furnishings, fuel, light, stationery, equipment, insurance and miscellaneous expenses, including travelling expenses of trustees and officers of the board, incurred by the authority of the board. urban  
boards to  
pay  
officials and  
maintenance  
expenses;

3. *The Public Schools Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 316,  
amended.

120a.—(1) When the number of teachers employed by a board having jurisdiction in a township or in a portion of a township becomes one hundred, the public school board or board of education, as the case may be, may appoint an inspector for the township or the portion of a township under the jurisdiction of the board, and such township or portion of a township shall be designated as a township inspectorate. Township  
inspector.

Application  
of ss. 119,  
120, 121-124.

- (2) Where an inspector is appointed under subsection 1, the provisions of sections 119 and 120, except subsections 8 and 9 of section 120, and the provisions of sections 121 to 124, in relation to city inspectors and city inspectorates, shall apply *mutatis mutandis* to the township inspector and the township inspectorate in which he has jurisdiction.

Rev. Stat.,  
c. 316, s. 129,  
amended.

4. Section 129 of *The Public Schools Act* is amended by adding thereto the following subsection:

Transfer  
of funds.

- (6) Where an employee,

(a) becomes a member of the civil service of Ontario or Canada;

Rev. Stat.,  
c. 96.

(b) becomes an employee of a municipality, as defined in *The Department of Municipal Affairs Act*; or

(c) becomes a member of the staff of any board, commission or public institution established under any Act of this Legislature,

the board by resolution may authorize the transfer of, or may transfer, the whole or any part of any money standing to the credit of the employee in connection with a pension plan established for employees of the board, to any like plan or fund maintained to provide superannuation benefits for the members of such civil or civic service or such staff, as the case may be.

Commence-  
ment.

5. This Act shall come into force on the day it receives the Royal Assent.

Short title.

6. This Act may be cited as *The Public Schools Amendment Act, 1951*.

SECTION 4. The amendment is to provide that non-teaching employees of a school board may transfer to another board, municipality or the Provincial or Federal Government without loss of pension benefits, in the same manner as teachers and municipal employees.







BILL

An Act to amend The Public  
Schools Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

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MR. PORTER

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No. 74

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Public Schools Act**

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MR. PORTER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY



No. 74

1951

# BILL

## An Act to amend The Public Schools Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 56 of *The Public Schools Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 316, s. 56,  
subs. 1,  
amended.

(h) for making initial payments or contributions to a pension scheme established under section 129.

2. Clause *q* of section 93 of *The Public Schools Act* is amended by striking out the words "and, if deemed expedient, to make contributions to a pension fund for the benefit of teachers, inspectors, officers and other employees of the board" at the end thereof, so that the clause shall read as follows: Rev. Stat.,  
c. 316, s. 93,  
cl. q,  
amended.

(q) to provide and pay, in the case of urban schools, salaries of inspectors, teachers, instructors and other officers and employees of the board, repairs to buildings, furnishings, fuel, light, stationery, equipment, insurance and miscellaneous expenses, including travelling expenses of trustees and officers of the board, incurred by the authority of the board. urban  
boards to  
pay  
officials and  
maintenance  
expenses;

3. *The Public Schools Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 316,  
amended.

120a.—(1) When the number of teachers employed by a board having jurisdiction in a township or in a portion of a township becomes one hundred, the public school board or board of education, as the case may be, may appoint an inspector for the township or the portion of a township under the jurisdiction of the board, and such township or portion of a township shall be designated as a township inspectorate. Township  
inspector.

Application  
of ss. 119,  
120, 121-124.

- (2) Where an inspector is appointed under subsection 1, the provisions of sections 119 and 120, except subsections 8 and 9 of section 120, and the provisions of sections 121 to 124, in relation to city inspectors and city inspectorates, shall apply *mutatis mutandis* to the township inspector and the township inspectorate in which he has jurisdiction.

Rev. Stat.,  
c. 316, s. 129,  
amended.

4. Section 129 of *The Public Schools Act* is amended by adding thereto the following subsection:

Transfer  
of funds.

- (6) Where an employee,

(a) becomes a member of the civil service of Ontario or Canada;

Rev. Stat.,  
c. 96.

(b) becomes an employee of a municipality, as defined in *The Department of Municipal Affairs Act*; or

(c) becomes a member of the staff of any board, commission or public institution established under any Act of this Legislature,

the board by resolution may authorize the transfer of, or may transfer, the whole or any part of any money standing to the credit of the employee in connection with a pension plan established for employees of the board, to any like plan or fund maintained to provide superannuation benefits for the members of such civil or civic service or such staff, as the case may be.

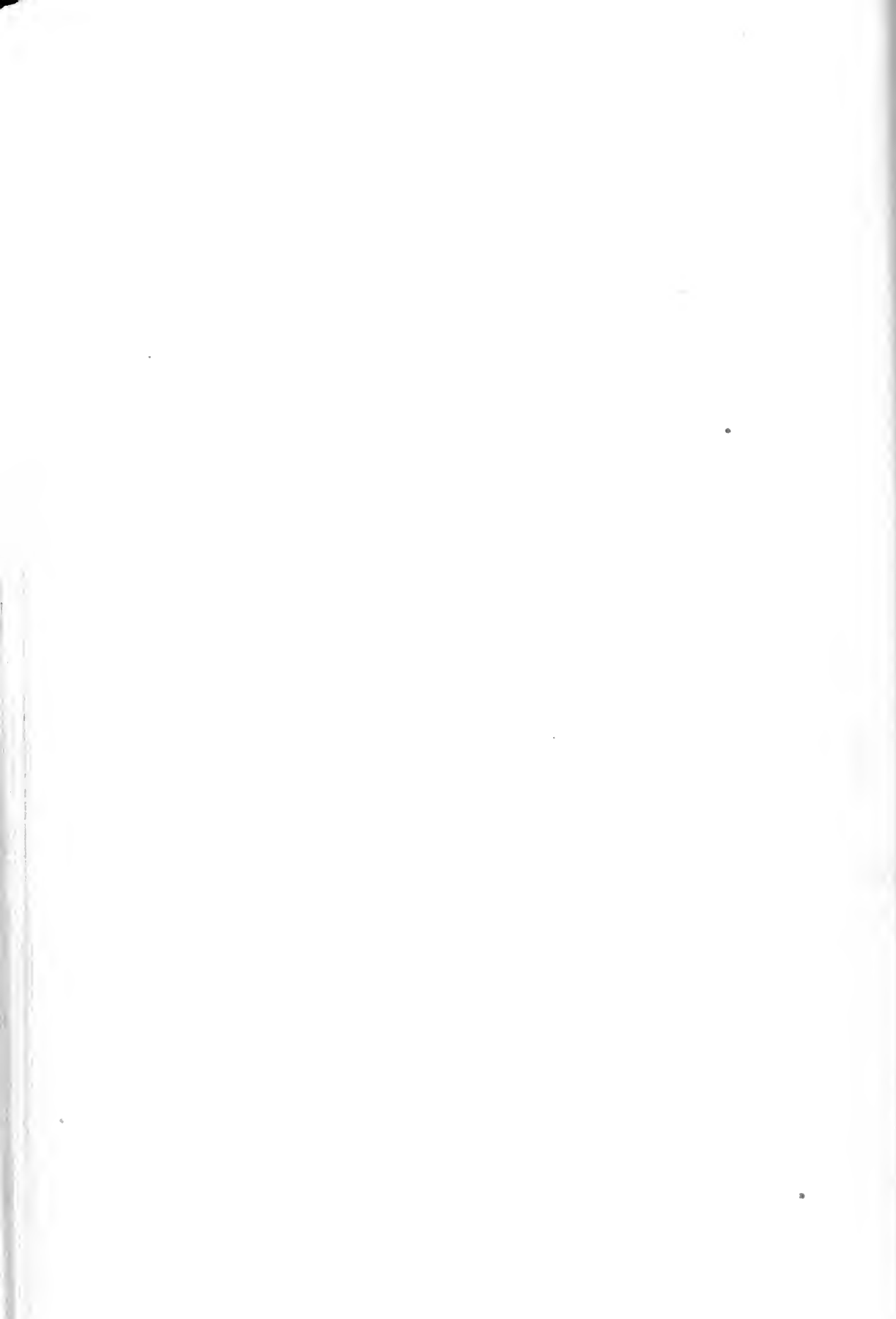
Commence-  
ment.

5. This Act shall come into force on the day it receives the Royal Assent.

Short title.

6. This Act may be cited as *The Public Schools Amendment Act, 1951*.









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BILL

An Act to amend The Public  
Schools Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 13th, 1951

*3rd Reading*

February 19th, 1951

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MR. PORTER

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No. 75

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Teachers' Superannuation Act**

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MR. PORTER

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TORONTO  
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#### EXPLANATORY NOTES

SECTION 1: The effect of this amendment will be to bring teachers engaged under contract by the Ontario College of Art within the scope of *The Teachers' Superannuation Act*.

SECTION 2—Subsection 1: The scope of the present provision is enlarged by the addition of schools for the children of members of the armed forces and for inmates of penal institutions.

Hereafter regulations may be made prescribing the conditions under which credit may be given under the Act for teaching services performed in the types of school named.

Subsections 2 and 3: The scope of the present clause is altered. Hereafter it will permit transfers of contributions in the case of a teacher who leaves service in Ontario to become employed in the civil service of Canada or who has done so since the 1st day of April, 1949.

No. 75

1951

# BILL

## An Act to amend The Teachers' Superannuation Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subclause v of clause d of section 1 of *The Teachers' Superannuation Act* is amended by inserting after the word "Schools" in the fourth line the words "the Ontario College of Art", so that the subclause shall read as follows:

Rev. Stat.,  
c. 384, s. 1,  
cl. d, subcl.  
v, amended.

- (v) as a teacher on the instructional staff of any normal school in Ontario, the Ontario College of Education, the University of Toronto Schools, the Ontario College of Art, the Ontario School for the Deaf, the Ontario School for the Blind, the Province of Ontario Correspondence Courses, the Royal Ontario Museum, or any railway-car school where the teacher has contributed to the fund for a period of at least one year,

. . . . .

2.—(1) Subclause iii of clause p of section 57 of *The Teachers' Superannuation Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 384, s. 57,  
cl. p, subcl.  
iii,  
re-enacted.

- (iii) in any school maintained by the Government of Canada for children of members of the armed forces of Canada, for Indians, or for inmates of penal institutions,

. . . . .

(2) Clause q of the said section 57 is repealed and the following substituted therefor:

Rev. Stat.,  
c. 384, s. 57,  
cl. q,  
re-enacted.

- (q) providing for and regulating the payment out of the fund into a similar fund established by the Government of Canada or the government of any province

of Canada of the contributions to the fund of a teacher or inspector who ceases to be employed within the meaning of this Act and who becomes a contributor to any such similar fund;

. . . . .

Application  
of cl. *q*.

(3) Any regulation made under the authority of clause *q* as re-enacted by subsection 2 may be applied to any person with credit in the Teachers' Superannuation Fund on or after the 1st day of April, 1949.

Short title.

**3.** This Act may be cited as *The Teachers' Superannuation Amendment Act, 1951*.









BILL

An Act to amend 'The Teachers'  
Superannuation Act

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

MR. PORTER

No. 75

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Teachers' Superannuation Act

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MR. PORTER

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TORONTO  
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No. 75

1951

# BILL

## An Act to amend The Teachers' Superannuation Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subclause v of clause d of section 1 of *The Teachers' Superannuation Act* is amended by inserting after the word "Schools" in the fourth line the words "the Ontario College of Art", so that the subclause shall read as follows:

Rev. Stat.,  
c. 384, s. 1,  
cl. d, subcl.  
v, amended.

- (v) as a teacher on the instructional staff of any normal school in Ontario, the Ontario College of Education, the University of Toronto Schools, the Ontario College of Art, the Ontario School for the Deaf, the Ontario School for the Blind, the Province of Ontario Correspondence Courses, the Royal Ontario Museum, or any railway-car school where the teacher has contributed to the fund for a period of at least one year,

2.—(1) Subclause iii of clause p of section 57 of *The Teachers' Superannuation Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 384, s. 57,  
cl. p, subcl.  
iii,  
re-enacted.

- (iii) in any school maintained by the Government of Canada for children of members of the armed forces of Canada, for Indians, or for inmates of penal institutions,

(2) Clause q of the said section 57 is repealed and the following substituted therefor:

Rev. Stat.,  
c. 384, s. 57,  
cl. q,  
re-enacted.

- (q) providing for and regulating the payment out of the fund into a similar fund established by the Government of Canada or the government of any province

of Canada of the contributions to the fund of a teacher or inspector who ceases to be employed within the meaning of this Act and who becomes a contributor to any such similar fund;

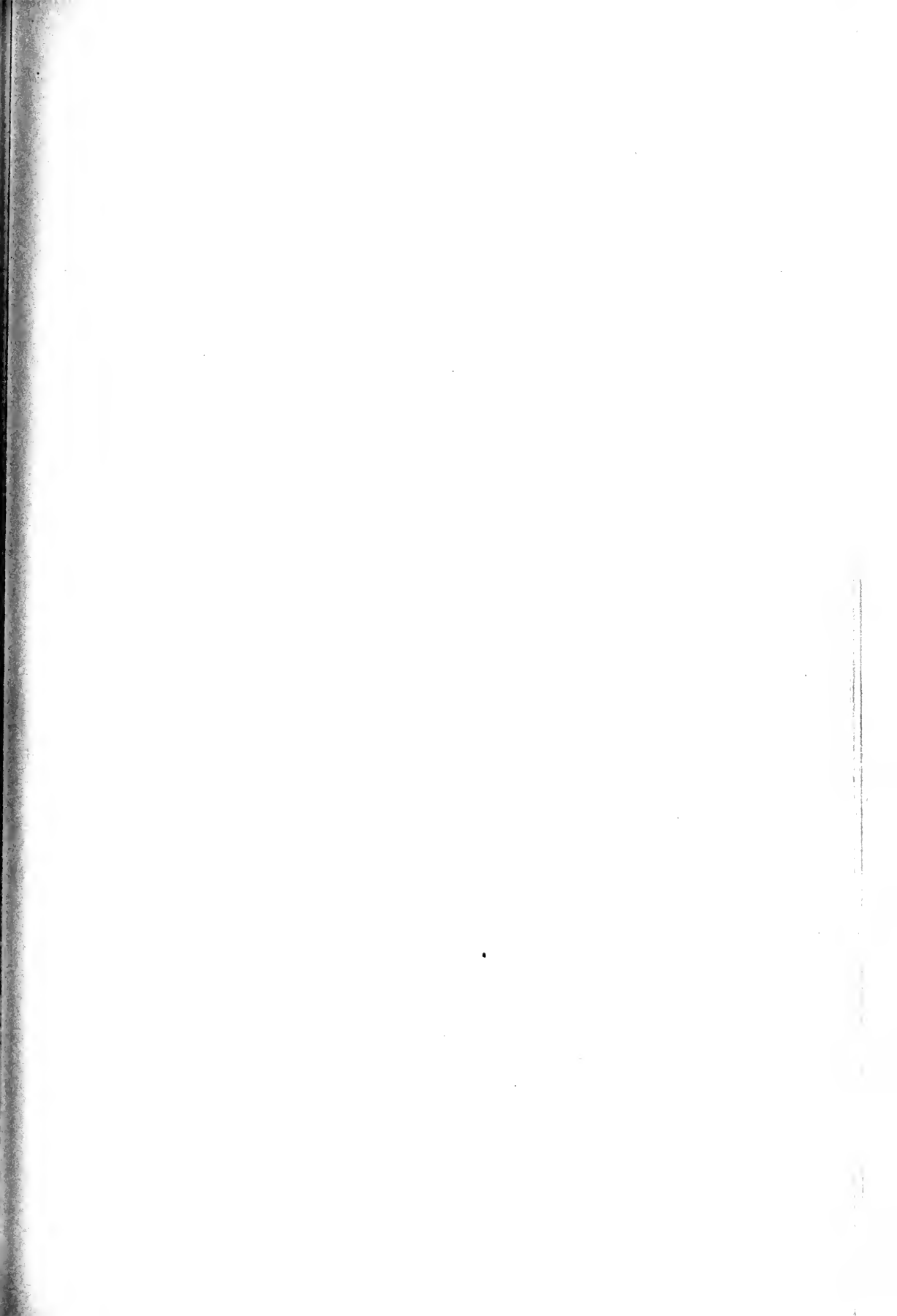
. . . . .

Application  
of cl. *g*.

(3) Any regulation made under the authority of clause *g* as re-enacted by subsection 2 may be applied to any person with credit in the Teachers' Superannuation Fund on or after the 1st day of April, 1949.

Short title.

**3.** This Act may be cited as *The Teachers' Superannuation Amendment Act, 1951*.









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BILL

An Act to amend 'The Teachers'  
Superannuation Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 13th, 1951

*3rd Reading*

February 19th, 1951

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MR. PORTER

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No. 76

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Fire Departments Act

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MR. PORTER

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#### EXPLANATORY NOTE

The present maximum work week for full-time municipal fire fighters is 72 hours.

This bill reduces the maximum to 56 hours.

The change is not effective until the first of next year so that it will not interfere with current municipal budgets.

No. 76

1951

# BILL

## An Act to amend The Fire Departments Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *c* of subsection 1 of section 2 of *The Fire Departments Act* is amended by striking out the word “seventy-two” in the third line and inserting in lieu thereof the word “fifty-six”, so that the clause shall read as follows: Rev. Stat., c. 138, s. 2, subs. 1, cl. c, amended.

(c) any other system of platoons or hours of work under which the maximum hours of work or hours on duty are not more than fifty-six hours on the average in any work week. Alternative systems.

(2) Subsection 3 of the said section 2 is amended by striking out the word “seventy-two” in the second line and inserting in lieu thereof the word “fifty-six”, so that the subsection shall read as follows: Rev. Stat., c. 138, s. 2, subs. 3, amended.

(3) No full-time fire fighter shall be required to be on duty more than fifty-six hours on the average in any work week. Maximum hours of duty.

**2.** This Act shall come into force on the 1st day of January, 1952. Commencement.

**3.** This Act may be cited as *The Fire Departments Amendment Act, 1951*. Short title.

BILL

An Act to amend The Fire  
Departments Act

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

MR. PORTER

No. 76

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Fire Departments Act

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MR. PORTER

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# BILL

## An Act to amend The Fire Departments Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Clause *c* of subsection 1 of section 2 of *The Fire Departments Act* is amended by striking out the word “seventy-two” in the third line and inserting in lieu thereof the word “fifty-six”, so that the clause shall read as follows: Rev. Stat., c. 138, s. 2, subs. 1, cl. c. amended.

(c) any other system of platoons or hours of work under which the maximum hours of work or hours on duty are not more than fifty-six hours on the average in any work week. Alternative systems.

(2) Subsection 3 of the said section 2 is amended by striking out the word “seventy-two” in the second line and inserting in lieu thereof the word “fifty-six”, so that the subsection shall read as follows: Rev. Stat., c. 138, s. 2, subs. 3, amended.

(3) No full-time fire fighter shall be required to be on duty more than fifty-six hours on the average in any work week. Maximum hours of duty.

**2.** This Act shall come into force on the 1st day of January, 1952. Commencement.

**3.** This Act may be cited as *The Fire Departments Amendment Act, 1951*. Short title.

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BILL

An Act to amend The Fire  
Departments Act

---

*1st Reading*

February 8th, 1951

*2nd Reading*

February 13th, 1951

*3rd Reading*

February 19th, 1951

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MR. PORTER

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No. 77

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Housing Development Act**

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MR. GRIESINGER

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#### EXPLANATORY NOTE

This amendment is to clarify the rights and powers of municipalities in relation to agreements entered into with the Province and Central Mortgage and Housing Corporation.

No. 77

1951

# BILL

## An Act to amend The Housing Development Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Housing Development Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 174,  
amended.

6a. Notwithstanding the provisions of any other Act of this Legislature, the council of a municipality which enters into or has heretofore entered into an agreement with His Majesty the King in right of Ontario and Central Mortgage and Housing Corporation, a corporation established by *The Central Mortgage and Housing Corporation Act* (Canada), pursuant to *The Housing Development Act, 1948* or this Act, shall be deemed to have and to have had authority to enter into such agreement and shall have all such powers as may be necessary to carry out the provisions thereof or of any undertaking given by such council pursuant thereto, and without limiting the generality of the foregoing, every such council may incur continuing obligations and make provisions for the discharge thereof without reference to the Ontario Municipal Board and may apportion any debt or obligation arising out of such agreement in such manner as it may deem equitable against any properties, whether such properties form part of a project within the meaning of such agreement or are adjacent thereto, and such debt or obligation when so apportioned shall be deemed to be a land tax within the meaning of *The Assessment Act* and recoverable as such. Powers of  
municipalities  
under joint  
housing  
agreements.  
  
1945  
(2nd Sess.),  
c. 15  
(Can.).  
  
1948,  
c. 44.  
  
Rev. Stat.,  
c. 24.

2. This Act shall come into force on the day it receives the Royal Assent. Commence-  
ment.

3. This Act may be cited as *The Housing Development Amendment Act, 1951*. Short title.

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BILL

An Act to amend The Housing  
Development Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

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MR. GRIESINGER

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No. 77

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Housing Development Act**

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MR. GRIESINGER

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





No. 77

1951

# BILL

## An Act to amend The Housing Development Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Housing Development Act* is amended by adding thereto the following section: Rev. Stat., c. 174, amended.

6a. Notwithstanding the provisions of any other Act of this Legislature, the council of a municipality which enters into or has heretofore entered into an agreement with His Majesty the King in right of Ontario and Central Mortgage and Housing Corporation, a corporation established by *The Central Mortgage and Housing Corporation Act* (Canada), pursuant to *The Housing Development Act, 1948* or this Act, shall be deemed to have and to have had authority to enter into such agreement and shall have all such powers as may be necessary to carry out the provisions thereof or of any undertaking given by such council pursuant thereto, and without limiting the generality of the foregoing, every such council may incur continuing obligations and make provisions for the discharge thereof without reference to the Ontario Municipal Board and may apportion any debt or obligation arising out of such agreement in such manner as it may deem equitable against any properties, whether such properties form part of a project within the meaning of such agreement or are adjacent thereto, and such debt or obligation when so apportioned shall be deemed to be a land tax within the meaning of *The Assessment Act* and recoverable as such. Powers of municipalities under joint housing agreements. 1945 (2nd Sess.), c. 15 (Can.). 1948, c. 44. Rev. Stat., c. 24.

2. This Act shall come into force on the day it receives the Royal Assent. Commencement.

3. This Act may be cited as *The Housing Development Amendment Act, 1951*. Short title.

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---

BILL

An Act to amend The Housing  
Development Act

---

*1st Reading*

February 8th, 1951

*2nd Reading*

February 13th, 1951

*3rd Reading*

February 19th, 1951

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MR. GRIESINGER

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No. 78

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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**BILL**  
**An Act to amend The Mental Hospitals Act**

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MR. PHILLIPS

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#### EXPLANATORY NOTE

These amendments are designed to authorize the Minister to make payments to public hospitals for treatment rendered indigent mental hospital patients.

No. 78

1951

# BILL

## An Act to amend The Mental Hospitals Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 5 of *The Mental Hospitals Act* is amended by adding thereto the following clause: Rev. Stat., c. 229, s. 5, subs. 2, amended.

(oo) prescribing the amounts of contributions that may be made to public hospitals by the Minister under section 16a and the manner and conditions of making such contributions.

2. Subsection 2 of section 16 of *The Mental Hospitals Act* is amended by adding at the end thereof the words "or in such manner as may be prescribed by the regulations", so that the subsection shall read as follows: Rev. Stat., c. 229, s. 16, subs. 2, amended.

(2) The charges for such hospital treatment shall be paid by the patient unless he is an indigent person, in which case the charges shall be payable in the same manner as charges for indigent patients are payable under *The Public Hospitals Act* or in such manner as may be prescribed by the regulations. Charges. Rev. Stat., c. 307.

3. *The Mental Hospitals Act* is amended by adding thereto the following section: Rev. Stat., c. 229, amended.

16a. The Minister, out of such moneys as may be appropriated by the Legislature for the purpose, may contribute toward the cost of treatment in public hospitals of indigent patients transferred thereto under subsection 1 of section 16 in such amounts, in such manner and under such conditions as may be prescribed by the regulations. Contributions by Province.

4. This Act may be cited as *The Mental Hospitals Amendment Act, 1951*. Short title.

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BILL

An Act to amend The Mental  
Hospitals Act

---

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

---

MR. PHILLIPS

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No. 78

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Mental Hospitals Act

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MR. PHILLIPS

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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# BILL

## An Act to amend The Mental Hospitals Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 5 of *The Mental Hospitals Act* Rev. Stat., c. 229, s. 5, subs. 2, amended. is amended by adding thereto the following clause:

(oo) prescribing the amounts of contributions that may be made to public hospitals by the Minister under section 16a and the manner and conditions of making such contributions.

2. Subsection 2 of section 16 of *The Mental Hospitals Act* Rev. Stat., c. 229, s. 16, subs. 2, amended. is amended by adding at the end thereof the words "or in such manner as may be prescribed by the regulations", so that the subsection shall read as follows:

(2) The charges for such hospital treatment shall be Charges. paid by the patient unless he is an indigent person, in which case the charges shall be payable in the same manner as charges for indigent patients are payable under *The Public Hospitals Act* or in such Rev. Stat., c. 307. manner as may be prescribed by the regulations.

3. *The Mental Hospitals Act* is amended by adding thereto Rev. Stat., c. 229, amended. the following section:

16a. The Minister, out of such moneys as may be appropriated by the Legislature for the purpose, may Contributions by Province. contribute toward the cost of treatment in public hospitals of indigent patients transferred thereto under subsection 1 of section 16 in such amounts, in such manner and under such conditions as may be prescribed by the regulations.

4. This Act may be cited as *The Mental Hospitals Amendment Act, 1951.* Short title.

BILL  
An Act to amend The Mental  
Hospitals Act

*1st Reading*

February 8th, 1951

*2nd Reading*

February 13th, 1951

*3rd Reading*

February 19th, 1951

MR. PHILLIPS

No. 79

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Sanatoria for Consumptives Act**

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MR. PHILLIPS

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#### EXPLANATORY NOTE

The amendment is designed to facilitate control of tuberculosis by extending the authority of medical officers of health under this section to include the examination of persons who have been exposed to tuberculosis and former patients of sanatoria who refuse to attend for re-examination.

No. 79

1951

# BILL

## An Act to amend The Sanatoria for Consumptives Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 45 of *The Sanatoria for Consumptives Act* is amended by inserting after the word "tuberculosis" in the fifth line the words "or who has been in contact with any person suffering from tuberculosis or who has been a patient in a sanatorium", so that the subsection shall read as follows:

- (1) Any medical officer of health may, with the approval of an inspector, require any person who is resident in the municipality or district for which the medical officer of health is appointed, and who is suspected by the medical officer of health to be suffering from tuberculosis or who has been in contact with any person suffering from tuberculosis or who has been a patient in a sanatorium, to submit to such examination for tuberculosis as the medical officer of health shall direct.

2. This Act may be cited as *The Sanatoria for Consumptives Amendment Act, 1951*.

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BILL

An Act to amend The Sanatoria for  
Consumptives Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

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MR. PHILLIPS

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No. 79

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# **BILL**

**An Act to amend The Sanatoria for Consumptives Act**

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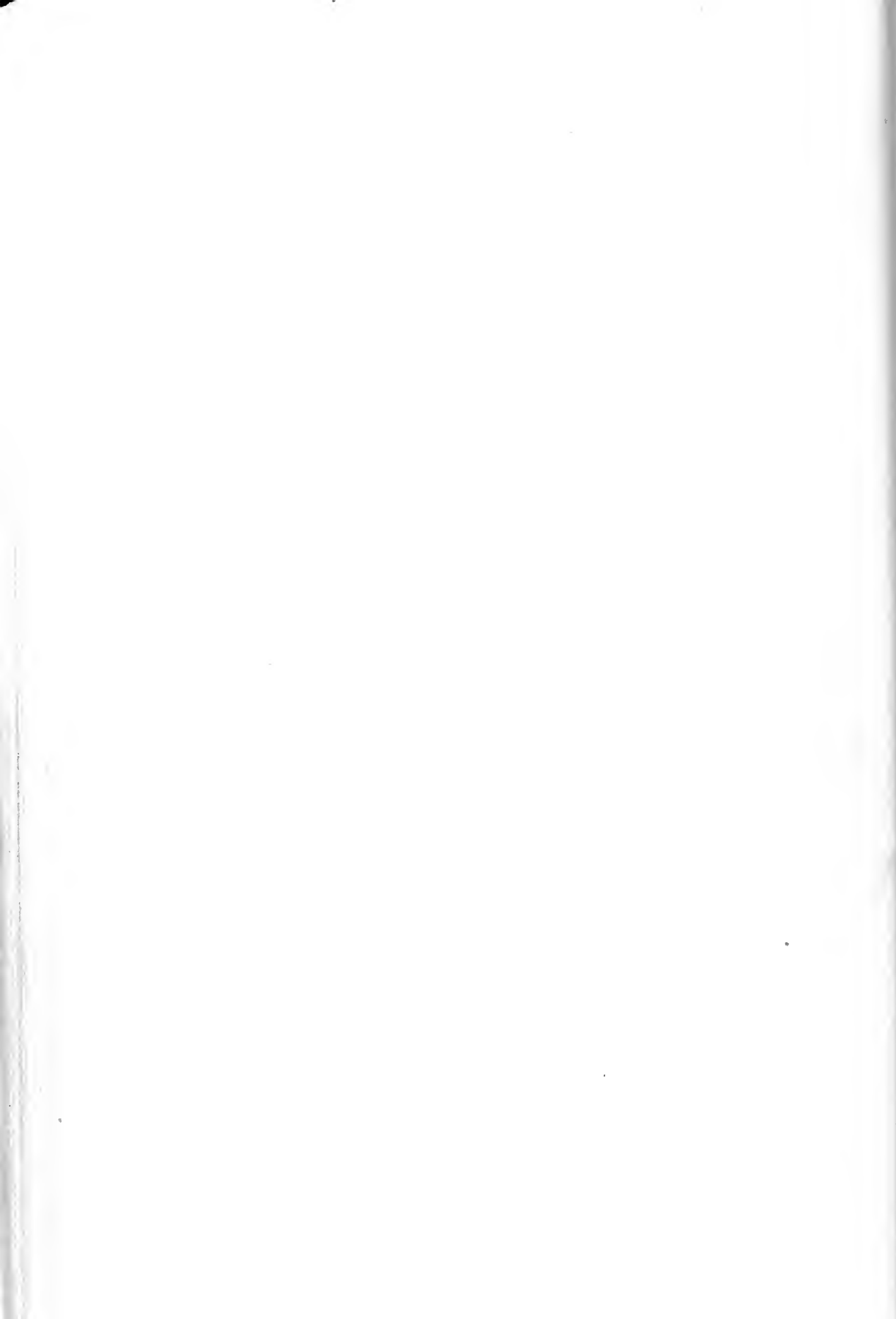
MR. PHILLIPS

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No. 79

1951

# BILL

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1. Subsection 1 of section 45 of *The Sanatoria for Consumptives Act* is amended by inserting after the word "tuberculosis" in the fifth line the words "or who has been in contact with any person suffering from tuberculosis or who has been a patient in a sanatorium", so that the subsection shall read as follows:

- (1) Any medical officer of health may, with the approval of an inspector, require any person who is resident in the municipality or district for which the medical officer of health is appointed, and who is suspected by the medical officer of health to be suffering from tuberculosis or who has been in contact with any person suffering from tuberculosis or who has been a patient in a sanatorium, to submit to such examination for tuberculosis as the medical officer of health shall direct.

2. This Act may be cited as *The Sanatoria for Consumptives Amendment Act, 1951*.

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BILL

An Act to amend The Sanatoria for  
Consumptives Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 13th, 1951

*3rd Reading*

February 19th, 1951

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MR. PHILIPS

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No. 80

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

The Boilers and Pressure Vessels Act, 1951

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MR. DALEY

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTE

This is a complete revision and consolidation of *The Steam Boilers Act* and section 57 of *The Factory, Shop and Office Building Act*. The first *Steam Boiler Act* was passed in the year 1910. This Act was revised in 1913 and with few amendments is the Act appearing in the present Revised Statutes. With the technical advances made in this field and the present widespread use of boilers and pressure vessels it is necessary to bring the Act into line with present day practice with regard to manufacture, operation and inspection of boilers and pressure vessels.

# BILL

## The Boilers and Pressure Vessels Act, 1951

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpreta-  
tion.

- (a) "boiler" means any vessel in which any gas or vapour may be generated or any liquid may be put under pressure by heating and includes any pipe, fitting and other equipment attached thereto; R.S.O. 1950, c. 374, s. 1, cl. (d), *amended*.
- (b) "certificate of approval" means a certificate issued under this Act for a boiler or pressure vessel not inspected during construction;
- (c) "certificate of competency" means a certificate issued under this Act to a person qualified to inspect boilers or pressure vessels and includes a renewal thereof;
- (d) "certificate of inspection" means a certificate issued under this Act in respect of any inspection of a boiler or pressure vessel and includes a certificate issued by an insurer;
- (e) "chief engineer" means an operating engineer who holds a certificate of qualification under *The Operating Engineers Act* and is responsible for and supervises the operation of a plant; Rev. Stat., c. 265.
- (f) "Chief Inspector" means the Chief Inspector designated under this Act;
- (g) "closed type hot water heating system" means a system in which water is heated and circulated and which is not vented to the atmosphere;

- (h) "compressed gas" means any gas contained under pressure exceeding fifteen pounds whether it is in a gaseous or liquid state;
- (i) "Department" means Department of Labour;
- (j) "design", in reference to a boiler, pressure vessel or plant, means its plan or pattern and includes drawings, specifications and any available model;
- (k) "design pressure" means the pressure that a vessel is designed to withstand;
- (l) "high pressure boiler" means a boiler designed to carry a working pressure of more than fifteen pounds;
- (m) "inspector" means an inspector appointed under this Act and includes the Chief Inspector;
- (n) "insurer" means a person licensed under *The Insurance Act* to undertake boiler and machinery insurance as defined by that Act;
- (o) "low pressure boiler" means a boiler intended to carry a working pressure of fifteen pounds or less, or a boiler connected in a closed type hot water heating system; *New.*
- (p) "Minister" means Minister of Labour; R.S.O. 1950, c. 374, s. 1, cl. (b).
- (q) "open type hot water heating system" means a system in which water is heated and circulated and where there are no intervening valves between the boiler and the expansion tank and which is vented to the atmosphere;
- (r) "owner" means the person, firm, corporation or association for the time being in possession of any boiler, pressure vessel or plant;
- (s) "plant" means the installation of boilers or pressure vessels in operation or use as a unit for any purpose;
- (t) "pressure" means pressure in pounds per square inch measured by a pressure gauge;
- (u) "pressure vessel" means an unfired vessel or apparatus other than a boiler which may be used for containing, storing, distributing, transferring, dis-

Rev. Stat.,  
c. 183.

tilling, processing or otherwise handling any gas, vapour or liquid under pressure, and includes any pipe, fitting and other equipment attached thereto;

- (v) "refrigerant" means a substance used to produce refrigeration by its expansion or vaporization;
- (w) "refrigeration plant" means the installation of pressure vessels by which refrigerants are vaporized, compressed and liquified in their refrigerating cycle;  
*New.*
- (x) "regulations" means regulations made under this Act; R.S.O. 1950, c. 374, s. 1, cl. (c).
- (y) "shift engineer" means an operating engineer who holds a certificate of qualification under *The Operating Engineers Act* and who is on duty in a plant; Rev. Stat.,  
c. 265.
- (z) "used boiler or used pressure vessel" means any boiler or pressure vessel which has been sold or exchanged and has been removed from its original site of installation and operation for re-use;
- (za) "welding operator" means a person engaged in welding either on his own account or in the employ of another person on the fabrication or repair of boilers or pressure vessels or any parts thereof;
- (zb) "working pressure" means the pressure at which a vessel is permitted to be used or operated under this Act. *New.*

**2.—(1)** This Act shall not apply to,

Exemptions  
from Act.

- (a) a boiler situate in and used only to heat a building or structure which normally provides separate dwelling accommodations for not more than four families; R.S.O. 1950, c. 126, s. 57 (7), cl. (a), *amended*.
- (b) a boiler used in connection with an open type hot water heating system; R.S.O. 1950, c. 126, s. 57 (7), cl. (c).
- (c) a boiler or pressure vessel operated by a railway and subject to inspection by The Board of Transport Commissioners for Canada or a boiler or pressure vessel subject to the *Canada Shipping Act, 1934*; 1934, c. 44 ~~22~~  
(Can.).
- (d) a shipping container subject to inspection by The Board of Transport Commissioners for Canada;

- (e) a low pressure boiler having a heating surface of thirty square feet or less;
- (f) a boiler or pressure vessel used exclusively for agricultural purposes;
- (g) a pressure vessel for permanent use at a pressure of fifteen pounds or less;
- (h) a pressure vessel having an internal diameter of six inches or less;
- (i) a pressure vessel having an internal diameter of twenty-four inches or less used for the storage of hot water for domestic use;
- (j) a pressure vessel used exclusively for hydraulic purposes at atmospheric temperature;
- (k) a pressure vessel having an internal diameter of twenty-four inches or less connected in a water pumping system containing air that is compressed to serve as a cushion;
- (l) a refrigeration plant having a capacity of three tons or less of refrigeration in twenty-four hours. *New.*

Exemption  
of types of  
boilers, etc.,  
by Lieutenant-  
Governor in  
Council.

- (2) The Lieutenant-Governor in Council may exempt any type of boiler or pressure vessel or any plant from this Act and may from time to time vary or revoke any such exemption. *New.*

Districts.

- 3.—**(1) The Minister may divide Ontario into districts for inspection purposes and assign one or more inspectors to each district. R.S.O. 1950, c. 126, s. 57 (5), cl. (g), *amended.*

Idem.

- (2) The Minister may alter the boundaries of any district or make a new division at any time. *New.*

Inspectors,  
appoint-  
ment of.

- 4.—**(1) The Lieutenant-Governor in Council may appoint inspectors to inspect boilers, pressure vessels and plants under this Act, and may designate one of them to be the Chief Inspector. R.S.O. 1950, c. 374, s. 3 (1), *amended.*

Inspectors  
not to have  
interest in  
sale, etc., of  
boilers.

- (2) No person shall be appointed or act as an inspector who has any direct or indirect interest in the manufacture, sale or installation of boilers, pressure vessels or plants. R.S.O. 1950, c. 374, s. 4, *amended.*

Certificate of  
competency.

- 5.—**(1) No person shall be appointed an inspector and no person shall carry out an inspection of any boiler, pressure



vessel or plant who does not hold a certificate of competency.  
*New.*

(2) Subject to the regulations, every applicant for a certificate of competency shall pass such examinations and tests as the Minister may require. R.S.O. 1950, c. 126, s. 57 (5), cl. (b), *amended*. Examinations.

(3) The Minister may suspend or cancel any certificate of competency for such reasons as may be prescribed by the regulations. *New.* Suspension and cancellation.

6. The inspectors shall perform such duties under the direction of the Chief Inspector as may be assigned to them by this Act and the regulations and by the Minister. *New.* Duties of inspectors.

7. An inspector in the course of his duties may enter any building or premises where he has reason to believe any boiler, pressure vessel or plant is being installed or operated. R.S.O. 1950, c. 374, s. 6, *amended*. Power to enter buildings and premises.

8. An inspector may by notice in writing require the attendance before him of any person at the time and place named in the notice and examine such person under oath regarding any matter pertaining to the construction, installation, operation, maintenance and repair of any boiler, pressure vessel or plant, or in respect of any accident arising out of its use or operation. R.S.O. 1950, c. 374, s. 8 (1, 2), *amended*. Power to require attendance and examine under oath.

9. On every annual inspection an inspector, Powers and duties of inspectors on annual inspection.

(a) shall satisfy himself that the boiler, pressure vessel or plant is being operated and maintained in accordance with this Act and the regulations and that the safety valves are properly set and sealed; and

(b) shall review the maximum working pressure of the boiler or pressure vessel and make any reduction in it for safe operation or use having regard to its age and condition. *New.*

10. An inspector may require, by notice in writing, the owner, chief engineer, shift engineer or other person responsible for or in immediate charge of any boiler, pressure vessel or plant, to prepare it or any part thereof, in accordance with the notice, for internal or external inspection or test or for such other purposes as the inspector deems necessary. *New.* Power to require owner, etc., to prepare boiler for inspection, etc.

11. An inspector may require the owner, chief engineer or other person responsible for or in charge of any boiler, pressure vessel or plant, Power to require owner, etc., to do things necessary for proper inspection.

- (a) to prepare any boiler, pressure vessel or plant for inspection in such manner as the inspector may require and to supply water for and to assist in making any test;
- (b) to cut or drill holes in any boiler or pressure vessel or to use any other method to enable the inspector to determine the thickness and condition of the plates;
- (c) to steam up, put under pressure or otherwise put into operation any boiler, pressure vessel or plant so that the inspector may test the safety valves or any part of the installation under operating conditions;
- (d) to extinguish the fire in any boiler or to reduce the pressure upon any boiler or pressure vessel to zero immediately if the inspector has reason to believe that it is in an unsafe condition; and
- (e) to do any other thing the inspector deems necessary to ensure a proper inspection. *New.*

Instructions  
by inspector  
re installa-  
tion,  
operation,  
etc.

**12.**—(1) An inspector may give instructions orally or in writing to the chief engineer, shift engineer or other person responsible for or in immediate charge of any boiler, pressure vessel or plant on any matter pertaining to safety with regard to the installation, operation, care, maintenance or repair thereof and require that his instructions be carried out within such time as the inspector may specify.

Refusal of  
owner, etc.,  
to obey  
instructions  
of inspector.

(2) If the owner, chief engineer, shift engineer or other person responsible for or in immediate charge of any boiler, pressure vessel or plant fails to comply with any instructions given by an inspector, the inspector shall forthwith report the circumstances to the Chief Inspector who may order that the boiler, pressure vessel or plant be shut down and may cancel the certificate of inspection or the certificate of approval. *New.*

Where boiler,  
etc., unsafe,  
may be  
sealed or  
certificate  
may be can-  
celled.

**13.**—(1) Where in the opinion of an inspector any boiler, pressure vessel or plant or any part thereof is in an unsafe operating condition or is being operated in a dangerous manner, the inspector on the instructions of the Chief Inspector shall seal the boiler or pressure vessel and take such steps as may be necessary to remove the danger, and the Chief Inspector may cancel the certificate of inspection or the certificate of approval.

(2) No person shall operate any boiler or pressure vessel which has been sealed, or cause or permit it to be operated, or destroy, remove or tamper with the seal of the inspector until permission in writing has been obtained from the Chief Inspector. *New.*

Prohibition re operation of sealed plant, etc.

**14.**—(1) Where any boiler or pressure vessel is to be constructed for use in Ontario, the manufacturer shall submit its design to the Chief Inspector for approval and registration in the Department before commencing its construction.

Design of boilers and pressure vessels to be submitted to Chief Inspector before construction.

(2) Where any plant is to be installed in Ontario, its design shall be submitted to the Chief Inspector for approval and registration in the Department before commencing its installation.

Design of plant to be submitted to Chief Inspector.

(3) Where any boiler or pressure vessel has been constructed without its design having been approved and registered, the Chief Inspector may accept its design for approval and registration if it otherwise meets with the requirements of this Act and the regulations. *New.*

Where design not approved before construction.

**15.**—(1) The Chief Inspector may require the inspection,

Inspection during construction.

(a) of any boiler or pressure vessel at any stage during its construction; and

(b) of the installation of any boiler, pressure vessel or plant.

(2) Where any boiler or pressure vessel has been inspected during construction or installation, the inspector shall report thereon to the Chief Inspector who, if satisfied that it may be operated or used safely, may issue a certificate of inspection upon payment of the prescribed fee and expenses. R.S.O. 1950, c. 374, s. 9 (1), *amended.*

Issue of certificate of inspection.

**16.** Where the Chief Inspector has not required the inspection of a boiler or pressure vessel during construction, he may issue a certificate of approval therefor upon payment of the prescribed fee, and the certificate, subject to the other provisions of this Act, shall authorize the operation of the boiler or pressure vessel until its annual inspection, unless it is sooner cancelled. *New.*

Certificate of approval.

**17.** Where any new boiler or pressure vessel has been constructed and its design is not available for registration, the Chief Inspector may permit it to be installed and operated as a used boiler or pressure vessel and may issue a certificate of inspection therefor. *New.*

Where design not available.

Boiler, etc.,  
defective  
after con-  
struction.

**18.** Notwithstanding the approval and registration of its design, if a boiler or pressure vessel is found to be defective after its construction, the Chief Inspector may permit the boiler or pressure vessel to be operated or used within such limits of safety as he may deem proper, and shall require the manufacturer to revise the design and specifications for such boiler or pressure vessel to correct its defects within such period as the Chief Inspector may allow, and failing revision, or if the defects cannot in his opinion be remedied, the Chief Inspector shall cancel the registration of the design and no additional boiler or pressure vessel shall be constructed therefrom. *New.*

Maximum  
working  
pressure.

**19.** The maximum working pressure of any boiler or pressure vessel shall be its design pressure if it has met the requirements of the Chief Inspector as to design, workmanship, construction and installation. *New.*

Boiler  
not con-  
structed in  
conformity  
with  
approved  
design.

**20.** Where any boiler or pressure vessel has not been constructed in conformity with its approved design but nevertheless may be used safely at a lesser pressure than its design pressure, the inspector making the inspection shall fix its maximum working pressure having regard to its condition and the purpose for which it is to be operated or used. *New.*

Safety-  
valves.

**21.—(1)** Subject to subsection 2, every boiler and pressure vessel shall have at least one safety-valve of adequate capacity set to relieve at or below the maximum working pressure of the boiler or pressure vessel.

Idem.

**(2)** Where more than one pressure vessel is connected in a plant for use at a uniform maximum working pressure, they shall be protected by one or more safety-valves of adequate capacity set to relieve at or below the uniform maximum working pressure which shall not exceed the maximum working pressure of the weakest pressure vessel in the plant. *New.*

Prohibition  
re operation  
of boiler,  
etc.

**22.** No boiler shall be operated or pressure vessel used at a pressure beyond its maximum working pressure. *New.*

Annual  
inspection.

**23.—(1)** Subject to subsection 2 of section 28, every boiler operated or pressure vessel used in Ontario shall be inspected by an inspector at least once annually. *New.*

Issue of  
annual  
certificate  
of inspec-  
tion.

**(2)** Following the annual inspection of any boiler or pressure vessel, the inspector shall make a report to the Chief Inspector on its condition and operation or use, and if the inspector is satisfied that a boiler or pressure vessel may continue to be operated or used safely, the Chief Inspector or the inspector

shall issue a certificate of inspection upon payment of the prescribed fee and expenses. R.S.O. 1950, c. 374, s. 9 (1), *amended*.

**24.** The fee for a certificate of inspection and the expenses of the inspector shall be paid to the inspector at the time of inspection unless the Chief Inspector has notified the inspector that the fee and expenses are being remitted direct to the Chief Inspector. *New*.

**25.—**(1) A certificate of inspection shall be *prima facie* evidence of the due inspection of the boiler or pressure vessel and the certificate shall, subject to this Act, authorize the operation of the boiler or pressure vessel in accordance with the terms of the certificate.

(2) Every certificate of inspection shall be in force until the next annual inspection is made unless it is sooner cancelled or unless a shorter period is specified therein.

(3) The maximum pressure at which a boiler or pressure vessel may be operated or used, or the safety-valve set to relieve, shall be set forth in the certificate of inspection.

(4) Every certificate of inspection shall be made available by the owner or other person responsible for or in immediate charge of the boiler, pressure vessel or plant upon demand of any inspector and where practicable shall be posted in a conspicuous place near the boiler or pressure vessel to which it relates. *New*.

**26.** No person shall operate any boiler or use any pressure vessel unless a certificate of inspection or a certificate of approval with regard to such boiler or pressure vessel is in force. *New*.

**27.—**(1) Notwithstanding that a certificate of inspection is in force, the Chief Inspector may order a further inspection of any boiler or pressure vessel at any time, or an inspector may make a further inspection at any time and the owner shall pay the fee and expenses prescribed therefor.

(2) Where an additional inspection of a boiler or pressure vessel is made, the inspector shall amend the certificate of inspection then in force to indicate the fact that such further inspection has been made. *New*.

**28.—**(1) Where a boiler or pressure vessel has been insured, the annual inspection shall be carried out by or through the insurer and the insurer, if satisfied that the boiler or pressure vessel may be operated or used safely, shall issue a certificate of inspection therefor.

Exemption  
from annual  
inspection by  
inspector.

(2) The owner of an insured boiler or pressure vessel shall be exempt from annual inspection by inspectors appointed under this Act and from the payment of fees as prescribed for such inspections while such insurance is in force but the Minister may nevertheless require such boiler or pressure vessel to be inspected by an inspector at any time. R.S.O. 1950, c. 126, s. 57 (1, 6), *amended*.

Annual  
inspection  
report of  
insured.

(3) Every insurer shall file with the Chief Inspector a copy of the report of the annual inspection of every boiler or pressure vessel insured by him over the signature of the person making the inspection within thirty days after the inspection has been made.

Cancellation  
or rejection  
of insurance.

(4) Every insurer shall forthwith notify the Chief Inspector in writing of the cancellation of insurance on any boiler or pressure vessel insured by him or of the rejection of insurance on any boiler or pressure vessel together with the reasons therefor. R.S.O. 1950, c. 126, s. 57 (2), *amended*.

Cancellation  
of certificate  
of inspection  
issued by  
insurer.

(5) Where an insurer has cancelled insurance on a boiler or pressure vessel because he considers it unsafe for operation or use, he shall cancel its certificate of inspection issued by him and shall take possession of the certificate. *New*.

Employment  
of insurer,  
etc., to make  
inspection.

**29.**—(1) The Minister may permit the Chief Inspector to employ the services of an insurer or of any person qualified to engage in the business of inspection of boilers and pressure vessels in Ontario to make any inspection required under this Act and to report thereon within fourteen days after the completion of the inspection. R.S.O. 1950, c. 374, s. 3 (2), *amended*.

Inspection  
of boiler or  
pressure  
vessel built  
in other  
provinces.

(2) Where a boiler or pressure vessel is to be built outside of Ontario in any province of Canada for use in Ontario, the Chief Inspector may arrange with the person in charge of inspection of boilers and pressure vessels for the province in which it is to be constructed to carry out inspections during construction and may accept the inspection reports submitted to him by such person for the purposes of this Act.

Inspection  
of boiler or  
pressure  
vessel built  
in U.S.A.

(3) Where a boiler or pressure vessel is to be built in the United States of America for use in Ontario, the Chief Inspector may arrange for the inspection of it during construction by an inspector holding a commission issued by the National Board of Boiler and Pressure Vessel Inspectors, and may accept the inspection reports of such inspector for the purposes of this Act.

(4) Where a boiler or pressure vessel is to be built outside of Canada or the United States of America for use in Ontario, the Chief Inspector may arrange for the inspection of it during construction through any agency engaged in boiler or pressure vessel inspection and may accept the inspection reports of the agency for the purposes of this Act. *New.*

Inspection of boiler or pressure vessel to be built elsewhere.

**30.** Every used boiler or pressure vessel shall be inspected and tested by an inspector before it is put into operation or use, and if the Chief Inspector is satisfied that it may be operated or used safely, he may issue a certificate of inspection upon payment of the prescribed fee and expenses. *New.*

Used boilers and pressure vessels.

**31.—(1)** No boiler or pressure vessel previously used outside of Ontario shall be installed unless the consent of the Chief Inspector has been obtained for such installation, and such boiler or pressure vessel shall not be operated or used until a certificate of inspection has been issued therefor.

Installation of boiler or pressure vessel previously used outside of Ontario.

(2) The person applying for consent under subsection 1 shall provide the Chief Inspector with details in writing as to the design, type, specifications, make, date and place of manufacture and the name of the manufacturer of the boiler or pressure vessel and such other information as the Chief Inspector may require. *New.*

Details to be given to Chief Inspector.

**32.** Where any boiler or pressure vessel is found to be in an unsafe condition, no person shall make any major repairs thereto until he has notified an inspector of the nature and extent of such repairs and the inspector has approved thereof, and the boiler or pressure vessel shall not be put into operation or use until it has been inspected by an inspector and he is satisfied that it may be operated or used safely. *New.*

Repairs to boiler or pressure vessel found unsafe.

**33.** When a boiler or pressure vessel is being inspected, the owner, chief engineer, shift engineer or any other person responsible for or in immediate charge thereof shall point out to the inspector any defect of which he has knowledge or which he believes to exist in the boiler or pressure vessel and if at any time he learns of any defect which might render the boiler or pressure vessel unsafe to operate, he shall forthwith notify the Chief Inspector. *New.*

Defects in boiler, etc., to be pointed out to inspector.

**34.—(1)** Where an inspector has inspected any boiler or pressure vessel and has satisfied himself that it can no longer be operated or used safely, he shall notify the Chief Inspector that he has condemned it and shall seal it with a seal or label indicating that it is condemned and shall take possession of its certificate of inspection. *New.*

Condemned boiler or pressure vessel.

Prohibition  
re operation  
of  
condemned  
boiler.

(2) No person shall operate a boiler or use a pressure vessel which has been condemned unless he has had it repaired as required by the Chief Inspector and a further inspection has been made and a certificate of inspection has been issued therefor. R.S.O. 1950, c. 126, s. 57 (3), *amended*.

Prohibition  
re sale or  
removal for  
re-use.

(3) No boiler or pressure vessel which has been condemned shall be sold or moved to another location for re-use without the consent of the Chief Inspector. *New*.

Welding  
operator to  
register.

**35.** Every welding operator shall register with the Chief Inspector. *New*.

Approval of  
procedure in  
welding.

**36.** The methods to be employed and the procedures to be followed in the welding of boilers and pressure vessels shall be approved by the Chief Inspector. *New*.

Test of  
welding  
operator.

**37.**—(1) The Chief Inspector may direct any inspector to test the competency of any welding operator at any time and to determine the terms and conditions upon which he may be permitted to do welding operations on boilers and pressure vessels.

Result of  
test to be  
in writing.

(2) Following a test given to any welding operator, the inspector shall supply him in writing with details of the test and of his efficiency in it and shall indicate the type of welding which may be done by such operator.

Where weld-  
ing found to  
be faulty.

(3) Where the welding of a welding operator is found to be faulty, the inspector shall forthwith notify the operator and his employer and thereupon the employer shall not permit the operator nor shall the operator continue to weld on any boiler or pressure vessel until the operator has passed a further test.

Change of  
employ by  
operator.

(4) When any welding operator changes his employ, he shall not commence to weld for a new employer until he has had a further test and an inspector has reported thereon. *New*.

Notification  
of  
accidents.

**38.**—(1) Where an explosion or rupture of a boiler or pressure vessel occurs, or where an accident arises out of its operation or use that causes injury or death to any person, the owner or person in charge shall forthwith notify the Chief Inspector by telephone or telegraph giving him full details of the accident.

Investiga-  
tion of  
accident.

(2) The Chief Inspector or any inspector under his instruction shall investigate any explosion, rupture or accident so reported to determine the cause thereof. *New*.

After  
explosion or  
rupture,  
parts not to  
be removed,  
etc.

**39.** After an explosion or rupture of a boiler or pressure vessel has occurred, no part or parts of it shall be moved nor



shall the position of any of them be altered by anyone except to remove any person who has been injured or killed until the permission of an inspector has been obtained. *New.*

**40.**—(1) Any person who is dissatisfied with any inspection or action taken by an inspector may within thirty days thereof appeal to the Minister, who may thereupon cause another inspection to be made by one or more inspectors who shall report to him, and the decision of the Minister shall be final. R.S.O. 1950, c. 374, s. 11 (1), *amended*. Appeal from  
action of  
inspector.

(2) Any expenses occasioned by the appeal and second inspection shall be paid as determined by the Minister. R.S.O. 1950, c. 374, s. 11 (2). Expenses of  
appeal.

**41.** Subject to this Act and the regulations, the publications of the Canadian Standards Association, of the American Standards Association and of the American Society of Mechanical Engineers, as amended from time to time, shall be deemed to contain the rules that shall be referred to by the Chief Inspector and the inspectors in carrying out their duties under this Act in reference to the approval of designs, the manufacture, installation, inspection, testing or operation of boilers, pressure vessels and plants. *New.* Publications  
to be refer-  
red to by  
inspectors.

**42.** Where a certificate of inspection has been cancelled with respect to any boiler or pressure vessel, no person shall operate or use or permit to be operated or used such boiler or pressure vessel until a further inspection has been made and a new certificate of inspection has been issued and the prescribed fee and expenses have been paid. *New.* Operation  
prohibited  
after can-  
cellation of  
certificate.

**43.** Every person who fails to comply with any of the provisions of this Act or the regulations, or any instruction or order given to him by an inspector, or hinders or obstructs any inspector in the performance of his duties under this Act, shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$25 and not more than \$500 for each offence. R.S.O. 1950, c. 374, s. 10, *amended*. Penalties.

**44.**—(1) The Lieutenant-Governor in Council may make regulations, Regulations.

(a) prescribing the qualifications of persons who may be appointed inspectors or who may make inspections under this Act; R.S.O. 1950, c. 126, s. 57 (5), cl. (a), *amended*.

(b) providing for the issue of certificates of competency to inspectors and determining the period for which

such certificates shall continue in force and the terms upon which they may be renewed; R.S.O. 1950, c. 126, s. 57 (5), cls. (b, c), *amended*.

- (c) providing for the issue of certificates of competency to persons other than inspectors and determining the period for which such certificates shall continue in force and the terms upon which they may be renewed; *New*.
- (d) prescribing the examination fees to be paid by an applicant for a certificate of competency;
- (e) prescribing the fee to be paid on the issue and renewal of a certificate of competency; R.S.O. 1950, c. 126, s. 57 (5), cl. (d), *amended*.
- (f) prescribing the terms upon which a certificate of competency may be issued with or without examination to a person who is qualified to inspect boilers and pressure vessels in any other province of Canada or in any of the United States of America and the fee to be paid therefor; *New*.
- (g) prescribing the reasons for which a certificate of competency may be suspended or cancelled; R.S.O. 1950, c. 126, s. 57 (5), cl. (e), *amended*.
- (h) prescribing the manner in which the design of a boiler, pressure vessel or plant shall be registered and numbered and the manner in which any boiler or pressure vessel manufactured therefrom shall be marked or identified;
- (i) prescribing the drawings and specifications which shall accompany an application for registration and approval of the design of a boiler, pressure vessel or plant and the information to be included therein; R.S.O. 1950, c. 374, s. 2, cls. (a, b), *amended*.
- (j) prescribing the fees to be paid on the approval and registration of the design of any boiler, pressure vessel or plant; R.S.O. 1950, c. 374, s. 2 cl. (d), *amended*.
- (k) prescribing the terms and conditions upon which a registered and approved design may be revised;
- (l) prescribing the fee to be paid in respect of the revision of any registered and approved design;

- (m) prescribing the fees to be paid on the inspection of any boiler or pressure vessel;
- (n) prescribing the manner by which the capacity of any boiler, pressure vessel or plant may be determined;
- (o) providing for the payment by the manufacturer or owner of any boiler or pressure vessel of any or all of the expenses incurred by an inspector in making an inspection of any boiler or pressure vessel;
- (p) requiring the manufacturer or his agent or officer in charge of construction to make a report in respect of the construction of any boiler or pressure vessel and prescribing the information that shall be contained in the report and the manner in which it shall be verified;
- (q) prescribing the fee to be paid on the issue of a certificate of approval;
- (r) prescribing the plans, drawings or information to be given in respect of the repair of any boiler or pressure vessel;
- (s) prescribing the qualifications of welding operators;
- (t) prescribing the fee to be paid on the test of any welding operator;
- (u) classifying boilers, pressure vessels and plants, and prescribing the purposes for which they may be used;
- (v) classifying refrigerants and governing the conditions under which they may be used and prescribing the types of buildings in which they may be used;
- (w) prescribing forms, seals or markings for use under this Act; *New*.
- (x) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1950, c. 374, s. 2, cl. (e), *amended*.

(2) Any word or expression used in any regulation made under this Act may be defined in the regulation for the purposes of the regulations. *New*. Expressions defined in regulations.

**45.** All fees and expenses collected under this Act and all penalties recovered for offences against this Act or the regula- Application of fees and penalties.

tions shall be paid to the Treasurer of Ontario and shall form part of the Consolidated Revenue Fund. R.S.O. 1950, c. 374, s. 12, *amended*.

Rev. Stat..  
c. 374;  
Rev. Stat..  
c. 126, s. 57,  
repealed.

**46.** *The Steam Boilers Act* and section 57 of *The Factory Shop and Office Building Act* are repealed.

Commence-  
ment. . . .

**47.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short  
title.

**48.** This Act may be cited as *The Boilers and Pressure Vessels Act, 1951*.



BILL

The Boilers and Pressure  
Vessels Act, 1951

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

MR. DALEY

No. 80

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**The Boilers and Pressure Vessels Act, 1951**

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MR. DALEY

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TORONTO

PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY





# BILL

## The Boilers and Pressure Vessels Act, 1951

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpreta-  
tion.

- (a) "boiler" means any vessel in which any gas or vapour may be generated or any liquid may be put under pressure by heating and includes any pipe, fitting and other equipment attached thereto; R.S.O. 1950, c. 374, s. 1, cl. (d), *amended*.
- (b) "certificate of approval" means a certificate issued under this Act for a boiler or pressure vessel not inspected during construction;
- (c) "certificate of competency" means a certificate issued under this Act to a person qualified to inspect boilers or pressure vessels and includes a renewal thereof;
- (d) "certificate of inspection" means a certificate issued under this Act in respect of any inspection of a boiler or pressure vessel and includes a certificate issued by an insurer;
- (e) "chief engineer" means an operating engineer who holds a certificate of qualification under *The Operating Engineers Act* and is responsible for and supervises the operation of a plant; Rev. Stat., c. 265.
- (f) "Chief Inspector" means the Chief Inspector designated under this Act;
- (g) "closed type hot water heating system" means a system in which water is heated and circulated and which is not vented to the atmosphere;

- (h) "compressed gas" means any gas contained under pressure exceeding fifteen pounds whether it is in a gaseous or liquid state;
- (i) "Department" means Department of Labour;
- (j) "design", in reference to a boiler, pressure vessel or plant, means its plan or pattern and includes drawings, specifications and any available model;
- (k) "design pressure" means the pressure that a vessel is designed to withstand;
- (l) "high pressure boiler" means a boiler designed to carry a working pressure of more than fifteen pounds;
- (m) "inspector" means an inspector appointed under this Act and includes the Chief Inspector;
- (n) "insurer" means a person licensed under *The Insurance Act* to undertake boiler and machinery insurance as defined by that Act;
- (o) "low pressure boiler" means a boiler intended to carry a working pressure of fifteen pounds or less, or a boiler connected in a closed type hot water heating system; *New.*
- (p) "Minister" means Minister of Labour; R.S.O. 1950, c. 374, s. 1, cl. (b).
- (q) "open type hot water heating system" means a system in which water is heated and circulated and where there are no intervening valves between the boiler and the expansion tank and which is vented to the atmosphere;
- (r) "owner" means the person, firm, corporation or association for the time being in possession of any boiler, pressure vessel or plant;
- (s) "plant" means the installation of boilers or pressure vessels in operation or use as a unit for any purpose;
- (t) "pressure" means pressure in pounds per square inch measured by a pressure gauge;
- (u) "pressure vessel" means an unfired vessel or apparatus other than a boiler which may be used for containing, storing, distributing, transferring, dis-

Rev. Stat.,  
c. 183.

tilling, processing or otherwise handling any gas, vapour or liquid under pressure, and includes any pipe, fitting and other equipment attached thereto;

- (v) "refrigerant" means a substance used to produce refrigeration by its expansion or vaporization;
- (w) "refrigeration plant" means the installation of pressure vessels by which refrigerants are vaporized, compressed and liquified in their refrigerating cycle;  
*New.*
- (x) "regulations" means regulations made under this Act; R.S.O. 1950, c. 374, s. 1, cl. (c).
- (y) "shift engineer" means an operating engineer who holds a certificate of qualification under *The Operating Engineers Act* and who is on duty in a plant; Rev. Stat.,  
c. 265.
- (z) "used boiler or used pressure vessel" means any boiler or pressure vessel which has been sold or exchanged and has been removed from its original site of installation and operation for re-use;
- (za) "welding operator" means a person engaged in welding either on his own account or in the employ of another person on the fabrication or repair of boilers or pressure vessels or any parts thereof;
- (zb) "working pressure" means the pressure at which a vessel is permitted to be used or operated under this Act. *New.*

**2.—(1)** This Act shall not apply to,

Exemptions  
from Act.

- (a) a boiler situate in and used only to heat a building or structure which normally provides separate dwelling accommodations for not more than four families; R.S.O. 1950, c. 126, s. 57 (7), cl. (a),  
*amended.*
- (b) a boiler used in connection with an open type hot water heating system; R.S.O. 1950, c. 126, s. 57 (7), cl. (c).
- (c) a boiler or pressure vessel operated by a railway and subject to inspection by The Board of Transport Commissioners for Canada or a boiler or pressure vessel subject to the *Canada Shipping Act, 1934*; 1934, c. 44  
(Can.).
- (d) a shipping container subject to inspection by The Board of Transport Commissioners for Canada;

- (e) a low pressure boiler having a heating surface of thirty square feet or less;
- (f) a boiler or pressure vessel used exclusively for agricultural purposes;
- (g) a pressure vessel for permanent use at a pressure of fifteen pounds or less;
- (h) a pressure vessel having an internal diameter of six inches or less;
- (i) a pressure vessel having an internal diameter of twenty-four inches or less used for the storage of hot water for domestic use;
- (j) a pressure vessel used exclusively for hydraulic purposes at atmospheric temperature;
- (k) a pressure vessel having an internal diameter of twenty-four inches or less connected in a water pumping system containing air that is compressed to serve as a cushion;
- (l) a refrigeration plant having a capacity of three tons or less of refrigeration in twenty-four hours. *New.*

Exemption  
of types of  
boilers, etc.,  
by Lieutenant-  
Governor in  
Council.

- (2) The Lieutenant-Governor in Council may exempt any type of boiler or pressure vessel or any plant from this Act and may from time to time vary or revoke any such exemption. *New.*

Districts.

- 3.—(1) The Minister may divide Ontario into districts for inspection purposes and assign one or more inspectors to each district. R.S.O. 1950, c. 126, s. 57 (5), cl. (g), *amended.*

Idem.

- (2) The Minister may alter the boundaries of any district or make a new division at any time. *New.*

Inspectors,  
appoint-  
ment of.

- 4.—(1) The Lieutenant-Governor in Council may appoint inspectors to inspect boilers, pressure vessels and plants under this Act, and may designate one of them to be the Chief Inspector. R.S.O. 1950, c. 374, s. 3 (1), *amended.*

Inspectors  
not to have  
interest in  
sale, etc., of  
boilers.

- (2) No person shall be appointed or act as an inspector who has any direct or indirect interest in the manufacture, sale or installation of boilers, pressure vessels or plants. R.S.O. 1950, c. 374, s. 4, *amended.*

Certificate of  
competency.

- 5.—(1) No person shall be appointed an inspector and no person shall carry out an inspection of any boiler, pressure

vessel or plant who does not hold a certificate of competency.  
*New.*

(2) Subject to the regulations, every applicant for a certificate of competency shall pass such examinations and tests as the Minister may require. R.S.O. 1950, c. 126, s. 57 (5), cl. (b), *amended*. Examinations.

(3) The Minister may suspend or cancel any certificate of competency for such reasons as may be prescribed by the regulations. *New.* Suspension and cancellation.

6. The inspectors shall perform such duties under the direction of the Chief Inspector as may be assigned to them by this Act and the regulations and by the Minister. *New.* Duties of inspectors.

7. An inspector in the course of his duties may enter any building or premises where he has reason to believe any boiler, pressure vessel or plant is being installed or operated. R.S.O. 1950, c. 374, s. 6, *amended*. Power to enter buildings and premises.

8. An inspector may by notice in writing require the attendance before him of any person at the time and place named in the notice and examine such person under oath regarding any matter pertaining to the construction, installation, operation, maintenance and repair of any boiler, pressure vessel or plant, or in respect of any accident arising out of its use or operation. R.S.O. 1950, c. 374, s. 8 (1, 2), *amended*. Power to require attendance and examine under oath.

9. On every annual inspection an inspector, Powers and duties of inspectors on annual inspection.

- (a) shall satisfy himself that the boiler, pressure vessel or plant is being operated and maintained in accordance with this Act and the regulations and that the safety valves are properly set and sealed; and
- (b) shall review the maximum working pressure of the boiler or pressure vessel and make any reduction in it for safe operation or use having regard to its age and condition. *New.*

10. An inspector may require, by notice in writing, the owner, chief engineer, shift engineer or other person responsible for or in immediate charge of any boiler, pressure vessel or plant, to prepare it or any part thereof, in accordance with the notice, for internal or external inspection or test or for such other purposes as the inspector deems necessary. *New.* Power to require owner, etc., to prepare boiler for inspection, etc.

11. An inspector may require the owner, chief engineer or other person responsible for or in charge of any boiler, pressure vessel or plant, Power to require owner, etc., to do things necessary for proper inspection.

- (a) to prepare any boiler, pressure vessel or plant for inspection in such manner as the inspector may require and to supply water for and to assist in making any test;
- (b) to cut or drill holes in any boiler or pressure vessel or to use any other method to enable the inspector to determine the thickness and condition of the plates;
- (c) to steam up, put under pressure or otherwise put into operation any boiler, pressure vessel or plant so that the inspector may test the safety valves or any part of the installation under operating conditions;
- (d) to extinguish the fire in any boiler or to reduce the pressure upon any boiler or pressure vessel to zero immediately if the inspector has reason to believe that it is in an unsafe condition; and
- (e) to do any other thing the inspector deems necessary to ensure a proper inspection. *New.*

Instructions  
by inspector  
re installation,  
operation,  
etc.

**12.**—(1) An inspector may give instructions orally or in writing to the chief engineer, shift engineer or other person responsible for or in immediate charge of any boiler, pressure vessel or plant on any matter pertaining to safety with regard to the installation, operation, care, maintenance or repair thereof and require that his instructions be carried out within such time as the inspector may specify.

Refusal of  
owner, etc.,  
to obey  
instructions  
of inspector.

(2) If the owner, chief engineer, shift engineer or other person responsible for or in immediate charge of any boiler, pressure vessel or plant fails to comply with any instructions given by an inspector, the inspector shall forthwith report the circumstances to the Chief Inspector who may order that the boiler, pressure vessel or plant be shut down and may cancel the certificate of inspection or the certificate of approval. *New.*

Where boiler,  
etc., unsafe,  
may be  
sealed or  
certificate  
may be can-  
celled.

**13.**—(1) Where in the opinion of an inspector any boiler, pressure vessel or plant or any part thereof is in an unsafe operating condition or is being operated in a dangerous manner, the inspector on the instructions of the Chief Inspector shall seal the boiler or pressure vessel and take such steps as may be necessary to remove the danger, and the Chief Inspector may cancel the certificate of inspection or the certificate of approval.

(2) No person shall operate any boiler or pressure vessel which has been sealed, or cause or permit it to be operated, or destroy, remove or tamper with the seal of the inspector until permission in writing has been obtained from the Chief Inspector. *New.*

Prohibition re operation of sealed plant, etc.

**14.**—(1) Where any boiler or pressure vessel is to be constructed for use in Ontario, the manufacturer shall submit its design to the Chief Inspector for approval and registration in the Department before commencing its construction.

Design of boilers and pressure vessels to be submitted to Chief Inspector before construction.

(2) Where any plant is to be installed in Ontario, its design shall be submitted to the Chief Inspector for approval and registration in the Department before commencing its installation.

Design of plant to be submitted to Chief Inspector.

(3) Where any boiler or pressure vessel has been constructed without its design having been approved and registered, the Chief Inspector may accept its design for approval and registration if it otherwise meets with the requirements of this Act and the regulations. *New.*

Where design not approved before construction.

**15.**—(1) The Chief Inspector may require the inspection,

Inspection during construction.

(a) of any boiler or pressure vessel at any stage during its construction; and

(b) of the installation of any boiler, pressure vessel or plant.

(2) Where any boiler or pressure vessel has been inspected during construction or installation, the inspector shall report thereon to the Chief Inspector who, if satisfied that it may be operated or used safely, may issue a certificate of inspection upon payment of the prescribed fee and expenses. R.S.O. 1950, c. 374, s. 9 (1), *amended.*

Issue of certificate of inspection.

**16.** Where the Chief Inspector has not required the inspection of a boiler or pressure vessel during construction, he may issue a certificate of approval therefor upon payment of the prescribed fee, and the certificate, subject to the other provisions of this Act, shall authorize the operation of the boiler or pressure vessel until its annual inspection, unless it is sooner cancelled. *New.*

Certificate of approval.

**17.** Where any new boiler or pressure vessel has been constructed and its design is not available for registration, the Chief Inspector may permit it to be installed and operated as a used boiler or pressure vessel and may issue a certificate of inspection therefor. *New.*

Where design not available.

Boiler, etc.,  
defective  
after con-  
struction.

**18.** Notwithstanding the approval and registration of its design, if a boiler or pressure vessel is found to be defective after its construction, the Chief Inspector may permit the boiler or pressure vessel to be operated or used within such limits of safety as he may deem proper, and shall require the manufacturer to revise the design and specifications for such boiler or pressure vessel to correct its defects within such period as the Chief Inspector may allow, and failing revision, or if the defects cannot in his opinion be remedied, the Chief Inspector shall cancel the registration of the design and no additional boiler or pressure vessel shall be constructed therefrom. *New.*

Maximum  
working  
pressure.

**19.** The maximum working pressure of any boiler or pressure vessel shall be its design pressure if it has met the requirements of the Chief Inspector as to design, workmanship, construction and installation. *New.*

Boiler  
not con-  
structed in  
conformity  
with  
approved  
design.

**20.** Where any boiler or pressure vessel has not been constructed in conformity with its approved design but nevertheless may be used safely at a lesser pressure than its design pressure, the inspector making the inspection shall fix its maximum working pressure having regard to its condition and the purpose for which it is to be operated or used. *New.*

Safety-  
valves.

**21.—(1)** Subject to subsection 2, every boiler and pressure vessel shall have at least one safety-valve of adequate capacity set to relieve at or below the maximum working pressure of the boiler or pressure vessel.

Idem.

(2) Where more than one pressure vessel is connected in a plant for use at a uniform maximum working pressure, they shall be protected by one or more safety-valves of adequate capacity set to relieve at or below the uniform maximum working pressure which shall not exceed the maximum working pressure of the weakest pressure vessel in the plant. *New.*

Prohibition  
re operation  
of boiler,  
etc.

**22.** No boiler shall be operated or pressure vessel used at a pressure beyond its maximum working pressure. *New.*

Annual  
inspection.

**23.—(1)** Subject to subsection 2 of section 28, every boiler operated or pressure vessel used in Ontario shall be inspected by an inspector at least once annually. *New.*

Issue of  
annual  
certificate  
of inspec-  
tion.

(2) Following the annual inspection of any boiler or pressure vessel, the inspector shall make a report to the Chief Inspector on its condition and operation or use, and if the inspector is satisfied that a boiler or pressure vessel may continue to be operated or used safely, the Chief Inspector or the inspector



shall issue a certificate of inspection upon payment of the prescribed fee and expenses. R.S.O. 1950, c. 374, s. 9 (1), *amended*.

**24.** The fee for a certificate of inspection and the expenses of the inspector shall be paid to the inspector at the time of inspection unless the Chief Inspector has notified the inspector that the fee and expenses are being remitted direct to the Chief Inspector. *New.*

Fee and expenses to be paid to inspector.

**25.—**(1) A certificate of inspection shall be *prima facie* evidence of the due inspection of the boiler or pressure vessel and the certificate shall, subject to this Act, authorize the operation of the boiler or pressure vessel in accordance with the terms of the certificate.

Certificate of inspection authorizes operation.

(2) Every certificate of inspection shall be in force until the next annual inspection is made unless it is sooner cancelled or unless a shorter period is specified therein.

Expiration of certificate of inspection.

(3) The maximum pressure at which a boiler or pressure vessel may be operated or used, or the safety-valve set to relieve, shall be set forth in the certificate of inspection.

Maximum pressure to be recorded in certificate.

(4) Every certificate of inspection shall be made available by the owner or other person responsible for or in immediate charge of the boiler, pressure vessel or plant upon demand of any inspector and where practicable shall be posted in a conspicuous place near the boiler or pressure vessel to which it relates. *New.*

Certificate of inspection to be made available.

**26.** No person shall operate any boiler or use any pressure vessel unless a certificate of inspection or a certificate of approval with regard to such boiler or pressure vessel is in force. *New.*

Prohibition re operation without certificate of inspection.

**27.—**(1) Notwithstanding that a certificate of inspection is in force, the Chief Inspector may order a further inspection of any boiler or pressure vessel at any time, or an inspector may make a further inspection at any time and the owner shall pay the fee and expenses prescribed therefor.

Further inspection at any time.

(2) Where an additional inspection of a boiler or pressure vessel is made, the inspector shall amend the certificate of inspection then in force to indicate the fact that such further inspection has been made. *New.*

Inspector to amend certificate in force.

**28.—**(1) Where a boiler or pressure vessel has been insured, the annual inspection shall be carried out by or through the insurer and the insurer, if satisfied that the boiler or pressure vessel may be operated or used safely, shall issue a certificate of inspection therefor.

Insured boiler or pressure vessel.

Exemption  
from annual  
inspection by  
inspector.

(2) The owner of an insured boiler or pressure vessel shall be exempt from annual inspection by inspectors appointed under this Act and from the payment of fees as prescribed for such inspections while such insurance is in force but the Minister may nevertheless require such boiler or pressure vessel to be inspected by an inspector at any time. R.S.O. 1950, c. 126, s. 57 (1, 6), *amended*.

Annual  
inspection  
report of  
insured.

(3) Every insurer shall file with the Chief Inspector a copy of the report of the annual inspection of every boiler or pressure vessel insured by him over the signature of the person making the inspection within thirty days after the inspection has been made.

Cancellation  
or rejection  
of insurance.

(4) Every insurer shall forthwith notify the Chief Inspector in writing of the cancellation of insurance on any boiler or pressure vessel insured by him or of the rejection of insurance on any boiler or pressure vessel together with the reasons therefor. R.S.O. 1950, c. 126, s. 57 (2), *amended*.

Cancellation  
of certificate  
of inspection  
issued by  
insurer.

(5) Where an insurer has cancelled insurance on a boiler or pressure vessel because he considers it unsafe for operation or use, he shall cancel its certificate of inspection issued by him and shall take possession of the certificate. *New*.

Employment  
of insurer,  
etc., to make  
inspection.

**29.—**(1) The Minister may permit the Chief Inspector to employ the services of an insurer or of any person qualified to engage in the business of inspection of boilers and pressure vessels in Ontario to make any inspection required under this Act and to report thereon within fourteen days after the completion of the inspection. R.S.O. 1950, c. 374, s. 3 (2), *amended*.

Inspection  
of boiler or  
pressure  
vessel built  
in other  
provinces.

(2) Where a boiler or pressure vessel is to be built outside of Ontario in any province of Canada for use in Ontario, the Chief Inspector may arrange with the person in charge of inspection of boilers and pressure vessels for the province in which it is to be constructed to carry out inspections during construction and may accept the inspection reports submitted to him by such person for the purposes of this Act.

Inspection  
of boiler or  
pressure  
vessel built  
in U.S.A.

(3) Where a boiler or pressure vessel is to be built in the United States of America for use in Ontario, the Chief Inspector may arrange for the inspection of it during construction by an inspector holding a commission issued by the National Board of Boiler and Pressure Vessel Inspectors, and may accept the inspection reports of such inspector for the purposes of this Act.

(4) Where a boiler or pressure vessel is to be built outside of Canada or the United States of America for use in Ontario, the Chief Inspector may arrange for the inspection of it during construction through any agency engaged in boiler or pressure vessel inspection and may accept the inspection reports of the agency for the purposes of this Act. *New.*

Inspection of boiler or pressure vessel to be built elsewhere.

**30.** Every used boiler or pressure vessel shall be inspected and tested by an inspector before it is put into operation or use, and if the Chief Inspector is satisfied that it may be operated or used safely, he may issue a certificate of inspection upon payment of the prescribed fee and expenses. *New.*

Used boilers and pressure vessels.

**31.—(1)** No boiler or pressure vessel previously used outside of Ontario shall be installed unless the consent of the Chief Inspector has been obtained for such installation, and such boiler or pressure vessel shall not be operated or used until a certificate of inspection has been issued therefor.

Installation of boiler or pressure vessel previously used outside of Ontario.

(2) The person applying for consent under subsection 1 shall provide the Chief Inspector with details in writing as to the design, type, specifications, make, date and place of manufacture and the name of the manufacturer of the boiler or pressure vessel and such other information as the Chief Inspector may require. *New.*

Details to be given to Chief Inspector.

**32.** Where any boiler or pressure vessel is found to be in an unsafe condition, no person shall make any major repairs thereto until he has notified an inspector of the nature and extent of such repairs and the inspector has approved thereof, and the boiler or pressure vessel shall not be put into operation or use until it has been inspected by an inspector and he is satisfied that it may be operated or used safely. *New.*

Repairs to boiler or pressure vessel found unsafe.

**33.** When a boiler or pressure vessel is being inspected, the owner, chief engineer, shift engineer or any other person responsible for or in immediate charge thereof shall point out to the inspector any defect of which he has knowledge or which he believes to exist in the boiler or pressure vessel and if at any time he learns of any defect which might render the boiler or pressure vessel unsafe to operate, he shall forthwith notify the Chief Inspector. *New.*

Defects in boiler, etc., to be pointed out to inspector.

**34.—(1)** Where an inspector has inspected any boiler or pressure vessel and has satisfied himself that it can no longer be operated or used safely, he shall notify the Chief Inspector that he has condemned it and shall seal it with a seal or label indicating that it is condemned and shall take possession of its certificate of inspection. *New.*

Condemned boiler or pressure vessel.

Prohibition  
re operation  
of  
condemned  
boiler.

(2) No person shall operate a boiler or use a pressure vessel which has been condemned unless he has had it repaired as required by the Chief Inspector and a further inspection has been made and a certificate of inspection has been issued therefor. R.S.O. 1950, c. 126, s. 57 (3), *amended*.

Prohibition  
re sale or  
removal for  
re-use.

(3) No boiler or pressure vessel which has been condemned shall be sold or moved to another location for re-use without the consent of the Chief Inspector. *New*.

Welding  
operator to  
register.

**35.** Every welding operator shall register with the Chief Inspector. *New*.

Approval of  
procedure in  
welding.

**36.** The methods to be employed and the procedures to be followed in the welding of boilers and pressure vessels shall be approved by the Chief Inspector. *New*.

Test of  
welding  
operator.

**37.**—(1) The Chief Inspector may direct any inspector to test the competency of any welding operator at any time and to determine the terms and conditions upon which he may be permitted to do welding operations on boilers and pressure vessels.

Result of  
test to be  
in writing.

(2) Following a test given to any welding operator, the inspector shall supply him in writing with details of the test and of his efficiency in it and shall indicate the type of welding which may be done by such operator.

Where weld-  
ing found to  
be faulty.

(3) Where the welding of a welding operator is found to be faulty, the inspector shall forthwith notify the operator and his employer and thereupon the employer shall not permit the operator nor shall the operator continue to weld on any boiler or pressure vessel until the operator has passed a further test.

Change of  
employ by  
operator.

(4) When any welding operator changes his employ, he shall not commence to weld for a new employer until he has had a further test and an inspector has reported thereon. *New*.

Notification  
of  
accidents.

**38.**—(1) Where an explosion or rupture of a boiler or pressure vessel occurs, or where an accident arises out of its operation or use that causes injury or death to any person, the owner or person in charge shall forthwith notify the Chief Inspector by telephone or telegraph giving him full details of the accident.

Investiga-  
tion of  
accident.

(2) The Chief Inspector or any inspector under his instruction shall investigate any explosion, rupture or accident so reported to determine the cause thereof. *New*.

After  
explosion or  
rupture,  
parts not to  
be removed,  
etc.

**39.** After an explosion or rupture of a boiler or pressure vessel has occurred, no part or parts of it shall be moved nor

shall the position of any of them be altered by anyone except to remove any person who has been injured or killed until the permission of an inspector has been obtained. *New.*

**40.**—(1) Any person who is dissatisfied with any inspection or action taken by an inspector may within thirty days thereof appeal to the Minister, who may thereupon cause another inspection to be made by one or more inspectors who shall report to him, and the decision of the Minister shall be final. R.S.O. 1950, c. 374, s. 11 (1), *amended*. Appeal from action of inspector.

(2) Any expenses occasioned by the appeal and second inspection shall be paid as determined by the Minister. R.S.O. 1950, c. 374, s. 11 (2). Expenses of appeal.

**41.** Subject to this Act and the regulations, the publications of the Canadian Standards Association, of the American Standards Association and of the American Society of Mechanical Engineers, as amended from time to time, shall be deemed to contain the rules that shall be referred to by the Chief Inspector and the inspectors in carrying out their duties under this Act in reference to the approval of designs, the manufacture, installation, inspection, testing or operation of boilers, pressure vessels and plants. *New.* Publications to be referred to by inspectors.

**42.** Where a certificate of inspection has been cancelled with respect to any boiler or pressure vessel, no person shall operate or use or permit to be operated or used such boiler or pressure vessel until a further inspection has been made and a new certificate of inspection has been issued and the prescribed fee and expenses have been paid. *New.* Operation prohibited after cancellation of certificate.

**43.** Every person who fails to comply with any of the provisions of this Act or the regulations, or any instruction or order given to him by an inspector, or hinders or obstructs any inspector in the performance of his duties under this Act, shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$25 and not more than \$500 for each offence. R.S.O. 1950, c. 374, s. 10, *amended*. Penalties.

**44.**—(1) The Lieutenant-Governor in Council may make regulations, Regulations.

(a) prescribing the qualifications of persons who may be appointed inspectors or who may make inspections under this Act; R.S.O. 1950, c. 126, s. 57 (5), cl. (a), *amended*.

(b) providing for the issue of certificates of competency to inspectors and determining the period for which

such certificates shall continue in force and the terms upon which they may be renewed; R.S.O. 1950, c. 126, s. 57 (5), cls. (b, c), *amended*.

- (c) providing for the issue of certificates of competency to persons other than inspectors and determining the period for which such certificates shall continue in force and the terms upon which they may be renewed; *New*.
- (d) prescribing the examination fees to be paid by an applicant for a certificate of competency;
- (e) prescribing the fee to be paid on the issue and renewal of a certificate of competency; R.S.O. 1950, c. 126, s. 57 (5), cl. (d), *amended*.
- (f) prescribing the terms upon which a certificate of competency may be issued with or without examination to a person who is qualified to inspect boilers and pressure vessels in any other province of Canada or in any of the United States of America and the fee to be paid therefor; *New*.
- (g) prescribing the reasons for which a certificate of competency may be suspended or cancelled; R.S.O. 1950, c. 126, s. 57 (5), cl. (e), *amended*.
- (h) prescribing the manner in which the design of a boiler, pressure vessel or plant shall be registered and numbered and the manner in which any boiler or pressure vessel manufactured therefrom shall be marked or identified;
- (i) prescribing the drawings and specifications which shall accompany an application for registration and approval of the design of a boiler, pressure vessel or plant and the information to be included therein; R.S.O. 1950, c. 374, s. 2, cls. (a, b), *amended*.
- (j) prescribing the fees to be paid on the approval and registration of the design of any boiler, pressure vessel or plant; R.S.O. 1950, c. 374, s. 2 cl. (d), *amended*.
- (k) prescribing the terms and conditions upon which a registered and approved design may be revised;
- (l) prescribing the fee to be paid in respect of the revision of any registered and approved design;

- (m) prescribing the fees to be paid on the inspection of any boiler or pressure vessel;
- (n) prescribing the manner by which the capacity of any boiler, pressure vessel or plant may be determined;
- (o) providing for the payment by the manufacturer or owner of any boiler or pressure vessel of any or all of the expenses incurred by an inspector in making an inspection of any boiler or pressure vessel;
- (p) requiring the manufacturer or his agent or officer in charge of construction to make a report in respect of the construction of any boiler or pressure vessel and prescribing the information that shall be contained in the report and the manner in which it shall be verified;
- (q) prescribing the fee to be paid on the issue of a certificate of approval;
- (r) prescribing the plans, drawings or information to be given in respect of the repair of any boiler or pressure vessel;
- (s) prescribing the qualifications of welding operators;
- (t) prescribing the fee to be paid on the test of any welding operator;
- (u) classifying boilers, pressure vessels and plants, and prescribing the purposes for which they may be used;
- (v) classifying refrigerants and governing the conditions under which they may be used and prescribing the types of buildings in which they may be used;
- (w) prescribing forms, seals or markings for use under this Act; *New.*
- (x) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1950, c. 374, s. 2, cl. (e), *amended.*

(2) Any word or expression used in any regulation made under this Act may be defined in the regulation for the purposes of the regulations. *New.* Expressions defined in regulations.

**45.** All fees and expenses collected under this Act and all penalties recovered for offences against this Act or the regula- Application of fees and penalties.

tions shall be paid to the Treasurer of Ontario and shall form part of the Consolidated Revenue Fund. R.S.O. 1950, c. 374, s. 12, *amended*.

Rev. Stat.,  
c. 374;  
Rev. Stat.,  
c. 126, s. 57,  
repealed.

**46.** *The Steam Boilers Act* and section 57 of *The Factory Shop and Office Building Act* are repealed.

Commence-  
ment.

**47.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Short  
title.

**48.** This Act may be cited as *The Boilers and Pressure Vessels Act, 1951*.





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BILL  
The Boilers and Pressure  
Vessels Act, 1951

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*1st Reading*

February 8th, 1951

*2nd Reading*

March 2nd, 1951

*3rd Reading*

March 21st, 1951

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MR. DALEY

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No. 81

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Old Age Pensions Act

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MR. GOODFELLOW

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTE

The words added will enable municipal councils to appoint more than one person as a local authority for the purposes of the Act which it may be desirable to do in the larger municipalities.

No. 81

1951

# BILL

## An Act to amend The Old Age Pensions Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *c* of section 1 of *The Old Age Pensions Act* is <sup>Rev. Stat., c. 258, s. 1,</sup> amended by inserting after the word "person" in the fifth <sup>cl. *c*,</sup> line the words "or persons", so that the clause shall read as <sup>amended.</sup> follows:

(*c*) "local authority" means an investigator and in addition where there is a welfare unit means the public welfare administrator or where there is no welfare unit means the clerk of the municipality or such other person or persons as the council with the approval of the Minister may appoint;

. . . . .

2. This Act may be cited as *The Old Age Pensions Amendment Act, 1951*. <sup>Short title.</sup>

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BILL

An Act to amend The Old Age  
Pensions Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

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MR. GOODFELLOW

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Old Age Pensions Act

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MR. GOODFELLOW

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# BILL

## An Act to amend The Old Age Pensions Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *c* of section 1 of *The Old Age Pensions Act* is <sup>Rev. Stat., c. 258, s. 1,</sup> amended by inserting after the word "person" in the fifth <sup>cl. c,</sup> line the words "or persons", so that the clause shall read as <sup>amended.</sup> follows:

(c) "local authority" means an investigator and in addition where there is a welfare unit means the public welfare administrator or where there is no welfare unit means the clerk of the municipality or such other person or persons as the council with the approval of the Minister may appoint;

. . . . .

2. This Act may be cited as *The Old Age Pensions Amend- Short title.*  
*ment Act, 1951.*

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BILL

An Act to amend The Old Age  
Pensions Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

February 27th, 1951

*3rd Reading*

March 6th, 1951

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Mr. GOODFELLOW

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No. 82

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Home for the Aged Act

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MR. GOODFELLOW

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#### EXPLANATORY NOTES

SECTION 1: Under the present Act all the municipalities in a territorial district must act jointly in establishing and maintaining a home for the aged. The new section 3*a* provides an exception.

SECTION 2: Under section 14 of the Act the Province pays up to fifty per cent of the cost of new homes or additions to or extensions of existing homes. The new subsection 3 controls, in the manner specified, how such cost is to be computed.

# BILL

## An Act to amend The Homes for the Aged Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Homes for the Aged Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 168,  
amended.

3a.—(1) A city or town having a population of not less than 25,000 in a district may, with the approval of the Minister, establish, erect and maintain a home for the aged, or the councils of any such city or town and of one or more contiguous municipalities may, with the approval of the Minister, enter into an agreement for the establishment, erection and maintenance of, and may establish, erect and maintain a joint home for the aged. Establish-  
ment of  
homes by  
cities and  
towns in  
districts.

(2) Where a home or a joint home for the aged is established under subsection 1, the municipality or municipalities that maintain it shall be deemed not to be within the district for the purposes of section 3 and the provisions of this Act respecting homes for the aged established by municipalities not in districts shall apply to the homes established under subsection 1. Idem.

2. Section 14 of *The Homes for the Aged Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 168, s. 14,  
amended.

(3) In computing the amount of the cost of the new building, addition or extension for the purposes of subsection 1, the cost of equipment and furnishings acquired after the 1st day of April, 1950, may be included, but, except where approval was given before the 1st day of January, 1951, the cost of any land in excess of fifteen acres and the cost of any barns or other similar outbuildings shall not be included. What to be  
included  
and excluded  
in comput-  
ing cost.

Rev. Stat.,  
c. 168, s. 15,  
subs. 1,  
amended.

**3.**—(1) Subsection 1 of section 15 of *The Homes for the Aged Act* is amended by inserting after the word “aged” in the third line the words “or having an agreement under subsection 2 of section 2, section 3a, or section 5”, so that the subsection shall read as follows:

Provincial  
subsidy on  
operating  
costs, in  
counties.

- (1) There shall be paid out of such moneys as may be voted therefor by the Legislature to every municipality having a home for the aged or having an agreement under subsection 2 of section 2, section 3a, or section 5 an amount equal to one-half the amount paid out by the municipality for the operation and maintenance of the home computed in the manner prescribed by the regulations, except that any amount otherwise payable to a county under this subsection shall be paid to each municipality forming part of the county in the proportion that the equalized assessment of the municipality bears to the total equalized assessment of the county.

Rev. Stat.,  
c. 168, s. 15,  
amended.

- (2) The said section 15 is further amended by adding thereto the following subsection:

Farm cost  
to be  
excluded.

- (3) In computing the amount paid out for the operation and maintenance of the home for the purposes of subsection 1 or 2, the cost of operating and maintaining a farm in connection with the home shall not be included.

Commence-  
ment.

- 4.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

- 5.** This Act may be cited as *The Homes for the Aged Amendment Act, 1951*.

SECTION 3: Under section 15 of the Act the Province pays one-half of the operating costs of homes for the aged.

The amendment to subsection 1 adds an express reference to joint homes operated under agreement so that there can be no doubt as to the right of this type of home to qualify for the provincial subsidy.

The new subsection 3 is self explanatory and is complementary in principle to the new subsection 3 of section 14 of the Act.







No. 82

BILL

An Act to amend The Homes for  
the Aged Act

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

MR. GOODFELLOW

3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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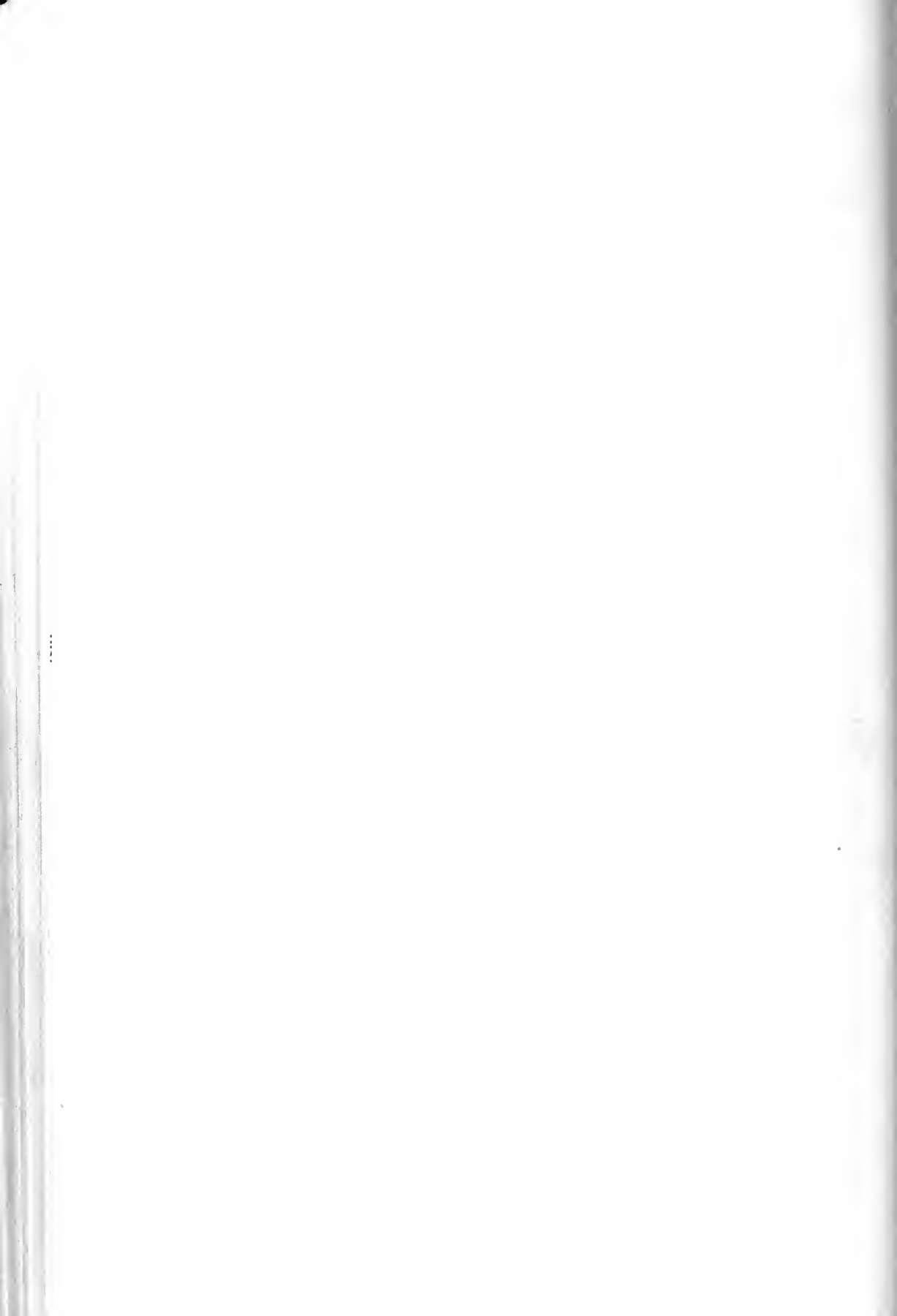
# BILL

An Act to amend The Homes for the Aged Act

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MR. GOODFELLOW

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# BILL

## An Act to amend The Homes for the Aged Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Homes for the Aged Act* is amended by adding thereto the following section: Rev. Stat., c. 168, amended.

3a.—(1) A city or town having a population of not less than 25,000 in a district may, with the approval of the Minister, establish, erect and maintain a home for the aged, or the councils of any such city or town and of one or more contiguous municipalities may, with the approval of the Minister, enter into an agreement for the establishment, erection and maintenance of, and may establish, erect and maintain a joint home for the aged. Establishment of homes by cities and towns in districts.

(2) Where a home or a joint home for the aged is established under subsection 1, the municipality or municipalities that maintain it shall be deemed not to be within the district for the purposes of section 3 and the provisions of this Act respecting homes for the aged established by municipalities not in districts shall apply to the homes established under subsection 1. Idem.

2. Section 14 of *The Homes for the Aged Act* is amended by adding thereto the following subsection: Rev. Stat., c. 168, s. 14, amended.

(3) In computing the amount of the cost of the new building, addition or extension for the purposes of subsection 1, the cost of equipment and furnishings acquired after the 1st day of April, 1950, may be included, but, except where approval was given before the 1st day of January, 1951, the cost of any land in excess of fifteen acres and the cost of any barns or other similar outbuildings shall not be included. What to be included and excluded in computing cost.

Rev. Stat.  
c. 168, s. 15,  
subs. 1,  
amended.

**3.**—(1) Subsection 1 of section 15 of *The Homes for the Aged Act* is amended by inserting after the word "aged" in the third line the words "or having an agreement under subsection 2 of section 2, section 3a, or section 5", so that the subsection shall read as follows:

Provincial  
subsidy on  
operating  
costs, in  
counties.

- (1) There shall be paid out of such moneys as may be voted therefor by the Legislature to every municipality having a home for the aged or having an agreement under subsection 2 of section 2, section 3a, or section 5 an amount equal to one-half the amount paid out by the municipality for the operation and maintenance of the home computed in the manner prescribed by the regulations, except that any amount otherwise payable to a county under this subsection shall be paid to each municipality forming part of the county in the proportion that the equalized assessment of the municipality bears to the total equalized assessment of the county.

Rev. Stat.,  
c. 168, s. 15,  
amended.

- (2) The said section 15 is further amended by adding thereto the following subsection:

Farm cost  
to be  
excluded.

- (3) In computing the amount paid out for the operation and maintenance of the home for the purposes of subsection 1 or 2, the cost of operating and maintaining a farm in connection with the home shall not be included.

Commence-  
ment.

- 4.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

- 5.** This Act may be cited as *The Homes for the Aged Amendment Act, 1951*.









BILL

An Act to amend The Homes for  
the Aged Act

*1st Reading*

February 8th, 1951

*2nd Reading*

March 6th, 1951

*3rd Reading*

March 13th, 1951

MR. GOODFELLOW

No. 83

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Charitable Institutions Act

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Mr. GOODFELLOW

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
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#### EXPLANATORY NOTE

The new section of the Act will enable provincial subsidies to be paid to charitable institutions on approved new buildings.

# BILL

## An Act to amend The Charitable Institutions Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Charitable Institutions Act* is amended by adding thereto the following section: Rev. Stat., c. 49, amended.

7a.—(1) The Minister may approve the site and plans of a new building of any charitable institution and when they are so approved the Lieutenant-Governor in Council may direct payment out of the Consolidated Revenue Fund to the charitable institution of an amount calculated upon the total bed capacity of the new building at the rate of \$1,000 per bed. Provincial subsidy on new buildings.

(2) Payments under subsection 1 may be made either when the new building is completed and ready for occupancy or from time to time during the construction thereof as the Lieutenant-Governor in Council may by regulation provide. when payable.

**2.** This Act may be cited as *The Charitable Institutions Amendment Act, 1951*. Short title.

BILL

An Act to amend The Charitable  
Institutions Act

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

MR. GOODFELLOW

No. 83

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Charitable Institutions Act

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MR. GOODFELLOW

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# BILL

## An Act to amend The Charitable Institutions Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Charitable Institutions Act* is amended by adding thereto the following section: Rev. Stat.,  
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amended.

7a.—(1) The Minister may approve the site and plans of a new building of any charitable institution and when they are so approved the Lieutenant-Governor in Council may direct payment out of the Consolidated Revenue Fund to the charitable institution of an amount calculated upon the total bed capacity of the new building at the rate of \$1,000 per bed. Provincial  
subsidy on  
new  
buildings.

(2) Payments under subsection 1 may be made either when the new building is completed and ready for occupancy or from time to time during the construction thereof as the Lieutenant-Governor in Council may by regulation provide. when  
payable.

**2.** This Act may be cited as *The Charitable Institutions Amendment Act, 1951*. Short title.

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BILL  
An Act to amend The Charitable  
Institutions Act

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*1st Reading*

February 8th, 1951

*2nd Reading*

March 6th, 1951

*3rd Reading*

March 13th, 1951

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MR. GOODFELLOW

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No. 84

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Highway Improvement Act

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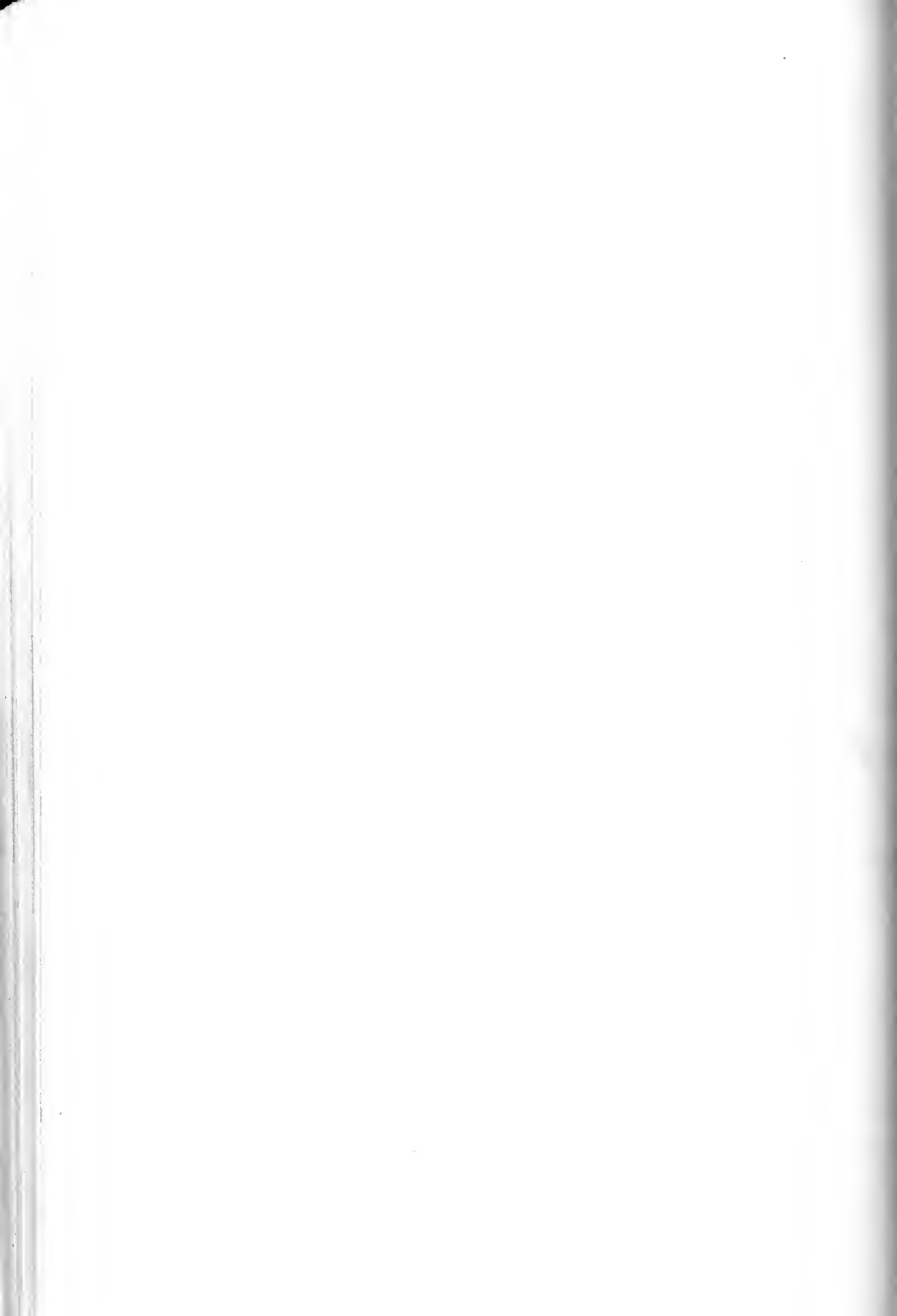
MR. HOUCK

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# BILL

## An Act to amend The Highway Improvement Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 93 of *The Highway Improvement Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 166, s. 93,  
re-enacted.

93.—(1) Notwithstanding any general or special Act, regulation, by-law or other authority, no person shall, except under a permit therefor from the Minister, Controlled-  
access  
highways,  
control of  
bordering  
lands.

(a) place, erect or increase the size of any building, structure, gasoline pump or fence, or any part thereof, or place any tree, shrub or hedge, or any part thereof, upon or within 150 feet of any limit of a controlled-access highway, or within the triangle formed by drawing a straight line from a point distant 600 feet along the limits of a controlled-access highway to a point distant 600 feet along the limits of a highway intersecting or running into such controlled-access highway, the said 600 feet in each case being measured from the point of intersection of the said highways;

(b) place, erect or increase the size of any power line, pole line or other transmission line, or any part thereof, upon or within one-quarter mile of any limit of a controlled-access highway; provided that nothing herein contained shall prevent the construction and maintenance of a private pole line required to supply electricity and telephone service to the owners or occupants of any buildings legally erected on any lands within one-quarter mile of such controlled-access highway;

(c) place, erect or increase the size of any sign, notice or advertising device, or any part thereof, other than a sign not more than two feet by one foot displaying the name of the owner or occupant of the premises to which it is affixed or the name of such premises, upon or within one-quarter mile of any limit of a controlled-access highway;

(d) construct, use or allow the use of any private road, entranceway or gate which, or any part of which, is connected with or opens upon a controlled-access highway; provided that where such private road, entranceway or gate is the only reasonable means of access to a highway for the owner or occupant of lands abutting on the said controlled-access highway, the Minister shall grant a permit authorizing the use of such private road, entranceway or gate.

Idem.

(2) Notwithstanding any general or special Act, regulation, by-law or other authority, no person shall sell, offer or expose for sale any vegetables, fruit or other produce, or any goods or merchandise, upon or within 150 feet of any limit of a controlled-access highway or within the triangle described in clause *a* of subsection 1; provided that this restriction shall not apply to the owners or occupants of any lands on which stands are operating prior to the 24th day of March, 1950, selling agricultural produce to the extent to which they have been operated.

Application  
of subss 1, 2  
in urban  
municipalities.

(3) The Minister in his discretion with the approval of the council of the municipality involved may order that subsections 1 and 2 or such clauses thereof as he may specify shall apply within the limits of any city, town or village or such parts thereof as he may specify, but otherwise subsections 1 and 2 shall not apply within the limits of any city, town or village.

Notice to  
remove,  
etc.

(4) The Minister in his discretion may give notice to the owner or occupant of any land requiring him to remove or alter any building, structure, fence, tree, shrub, hedge, power line, pole line, other transmission line, gasoline pump, sign, notice or advertising device placed, or erected, after the 24th day of March, 1950, or to close up any private road, entranceway or gate constructed after that date that does not comply with subsection 1 or with any permit issued under this section with respect thereto.

- (5) The Minister in his discretion may give notice to <sup>Idem.</sup> the owner or occupant of any land requiring him to remove or alter any building, structure, fence, tree, shrub, hedge, power line, pole line, other transmission line, gasoline pump, sign, notice or advertising device placed or erected before the 24th day of March, 1950, or to close up any private road, entranceway or gate constructed before that date that would not comply with subsection 1 if it had been so placed, erected or constructed after that date.
- (6) In every case where a notice is given pursuant to the powers contained in subsection 5, the owner and occupant of such land shall be entitled to compensation for all damages sustained by such owner and occupant as a result of the action required by such notice and such damages shall be assessed and recovered in the same manner as in the case of expropriation proceedings.
- (7) Every notice under subsection 4 or 5 shall be in writing and shall be personally served upon the owner and occupant of the land, unless a judge of the Supreme Court or a judge of the county court of the county in which the lands are situate otherwise orders. <sup>Form of notice.</sup>
- (8) If the person to whom notice is given under subsection 4 or 5 fails to comply with it within thirty days after the last date of service thereof, the Minister may direct in writing any officer, employee or agent of the Department to enter upon the land and do or cause to be done whatever may be necessary to remove or alter the building, structure, fence, tree, shrub, hedge, power line, pole line, other transmission line, gasoline pump, sign, notice or advertising device, or to close up the private road, entranceway or gate, as the case may be, as the notice required. <sup>Failure to obey notice.</sup>
- (9) The Minister in his discretion may issue permits <sup>Permits.</sup> under this section upon such conditions, in such form, for such term and upon the payment of such fee as he may deem proper, and may in his discretion cancel any such permit except a permit which the Minister is required to issue under clause *d* of subsection 1.
- (10) The powers of the Minister to make orders, to give notices or to issue permits under this section may be delegated by him to the Deputy Minister, and when any such delegation has been made any such order, <sup>Delegation of powers.</sup>

notice or permit duly made, given or issued over the signature of the Deputy Minister shall be valid and effective for all purposes.

Offences  
and  
penalties.

- (11) Every person who violates any of the provisions of subsection 1 or 2 or who fails to comply with a notice given under subsection 4 or 5 shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$10 and not more than \$100 for a first offence and to a penalty of not less than \$50 and not more than \$500 for a second or subsequent offence, and the continuance of the condition constituting an offence for each week after conviction therefor shall constitute a new offence.

Application  
of sections  
to other  
portions of  
King's  
Highway.

- (12) This section, except clauses *b* and *d* of subsection 1 and subsection 2, shall apply *mutatis mutandis* to the other portions of the King's Highway.

Short title.

- 2.** This Act may be cited as *The Highway Improvement Amendment Act, 1951*.





BILL

An Act to amend The Highway  
Improvement Act

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

MR. HOUCK

No. 85

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to protect Home Owners' Equities

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MR. ELLIS

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTE

The purpose of the Bill is to provide relief for mortgagors and purchasers of farms and dwellings who have suffered substantial impairment of income owing to illness or unemployment or any other cause beyond their control, or dependants of such persons. Any such person may make an application to a judge for stay of proceedings taken under a mortgage or agreement to purchase upon such terms as the judge may see fit.

# BILL

## An Act to protect Home Owners' Equities

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation.

- (a) "action or proceeding" includes proceedings by way of foreclosure, or sale under power of sale, execution on any judgment or order of any court, distress, forfeiture, judgment or order for possession, or any other judgment or order of any court or otherwise, relating to any mortgage, contract or agreement for sale or purchase of land, or any interest therein, or any renewal or extension thereof;
- (b) "judge" means judge of the county or district court except in the counties of York and Carleton where it means master and local master of the Supreme Court respectively; and
- (c) "substantial impairment of income" means substantial impairment of income in respect of the twelve-month period immediately preceding an application under this Act as compared with the average annual income for the five years preceding the year in which the application is made.

**2.**—(1) Subject to section 9, this Act shall apply to a mortgage, contract or agreement for sale or purchase, or a renewal or extension thereof, of any land or any interest therein where, <sup>Application of Act.</sup>

- (a) the mortgagor, purchaser or any other person liable to make payments thereunder is a person who has suffered substantial impairment of income owing to illness or unemployment or any other cause beyond his control, or a dependant of such person, and owns and resides upon and occupies the land or premises covered by such mortgage, contract, agreement or renewal or extension thereof; and

- (b) such mortgage, contract, agreement, renewal or extension was made or entered into prior to the 1st day of March, 1951.

Idem.

(2) This Act shall apply to,

- (a) a one-family or a two-family dwelling house owned by a person who has suffered substantial impairment of income owing to illness or unemployment or any other cause beyond his control, or a dependant of such person, and in which he resides;
- (b) premises owned by a person who has suffered substantial impairment of income owing to illness or unemployment or any other cause beyond his control, or a dependant of such person, in which he carries on exclusively a retail business or petty trade and which in addition contains one or two self-contained apartments in one of which he resides; and
- (c) farm land owned by a person who has suffered substantial impairment of income owing to illness or unemployment or any other cause beyond his control, or a dependant of such person, upon which he resides and which is used for general farming, dairying, fruit farming, market gardening, poultry raising or any other agricultural purpose.

Applications  
for stay of  
action.

3. In any action or proceeding,

- (a) arising out of default in payment of principal or interest due under, or out of any other breach of, the terms of a mortgage, agreement for sale or purchase, or a renewal or extension thereof, of any land or interest therein; and
- (b) commenced or continued while the mortgagor, purchaser or other person who is a defendant is a person who suffered substantial impairment of income owing to illness or unemployment or any other cause beyond his control, or dependant of such person,

an application may be made to the judge for a stay or postponement of the action or proceeding by such person.

Notice.

4.—(1) The judge in his absolute discretion may give directions as to the service of notice of the hearing of the application upon any person whom he deems to be a proper party of the proceedings, and may adjourn the hearing for that purpose, or he may dispense with notice of the application upon any such person and proceed with the hearing.

(2) Upon service of notice of the hearing of the application <sup>Stay of action.</sup> hereunder upon the person who commenced or continued the action or proceeding, the action or proceeding shall *ipso facto* be stayed pending the final disposition of such application.

5.—(1) Upon the hearing of the application if the judge <sup>Powers of judge.</sup> is of the opinion that the applicant's inability to make such payment or perform such other terms is attributable to the fact that he is a person who has suffered substantial impairment of income owing to illness or unemployment or any other cause beyond his control, he may in his absolute discretion make such order as he deems proper, having regard to the position of all the parties, staying or postponing the action or proceeding for such time, upon such terms and conditions as he thinks fit.

(2) Without derogating from the powers vested in the <sup>Idem.</sup> judge under subsection 1, the judge may,

(a) determine,

(i) the value of the interest of the applicant in the premises in respect of which the application is made, and

(ii) the fair rental value of the premises; and

(b) order that an amount representing the fair rental value together with any other amounts paid out in respect of the premises for taxes and necessary repairs to and maintenance of the premises by the mortgagee or vendor, his assignee or personal representative shall from time to time be charged against the amount representing the value of the interest of the applicant in the premises and that the applicant shall be permitted to occupy the premises until the last-mentioned amount is thereby exhausted.

6. No costs shall be allowed by the judge on any hearing <sup>Costs, etc.</sup> and no fees payable to the Crown, whether collected by law stamps or otherwise, shall be charged or collected upon any application under this Act.

7. If the terms of any order made under this Act in any <sup>Non-compliance with order.</sup> action or proceeding are not complied with by the applicant, such action or proceeding may continue and shall be deemed for all purposes other than the purposes of <sup>Rev. Stat., c. 207.</sup> *The Limitations Act* to have commenced as and from the date of the failure to comply with the terms of such order, and not from the date when the action or proceeding was taken.

8. Where an action or proceeding has been taken upon a mortgage or contract to which this Act applies, upon the trial of any issue arising in the action or proceeding, the court, whether or not an application or order has been made as provided by section 4, may exercise the discretion and make the order provided for by section 5. <sup>Additional powers.</sup>

9. This Act shall not apply to loans made under *The Dominion Housing Act, 1935* (Canada), *The National Housing Act, 1938* (Canada) or *The National Housing Act, 1944* (Canada). <sup>Where Act not to apply.</sup>

10. Any dependant of a person who has suffered substantial impairment of income owing to illness or unemployment or any other cause beyond his control shall be entitled to the benefits accorded to a person who has suffered substantial impairment of income owing to illness or unemployment or any other cause beyond his control by this Act if the judge is of opinion that the inability of the dependant to comply with the term of a mortgage, contract or agreement for sale or purchase, or renewal or extension thereof, as the case may be, is attributable to the fact that the person upon whom he is dependent has suffered substantial impairment of income owing to illness or unemployment or any other cause beyond his control. <sup>Dependants.</sup>

11. Any action or proceeding against any person liable as principal or guarantor or otherwise upon any covenant or agreement as principal or guarantor or otherwise, whether express or implied under any mortgage, contract or agreement for sale or purchase, or a renewal or extension thereof, of any land or any interest therein coming within this Act shall, *ipso facto*, be stayed pending the final disposition of any application and during the period for which relief has been granted under this Act. <sup>Stay of actions.</sup>

12. An order made under this Act may, if subsequent circumstances render it just so to do, be suspended, discharged, varied or altered upon application to the judge on such notice to such persons as the judge shall direct. <sup>Suspension, etc., of orders.</sup>

13. The powers conferred by this Act shall be in addition to and not in derogation of any other powers of the judge. <sup>Judge's powers.</sup>

14. An application under this Act shall be made in the county or district in which the land is situate. <sup>Where application to be made.</sup>

15. Subject to the approval of the Lieutenant-Governor in Council, the Rules Committee may make rules. <sup>Rules.</sup>



(a) prescribing the particulars and the form thereof to be furnished by applicants for relief under this Act;

(b) regulating the practice and procedure under this Act; and

(c) generally for the better carrying out of this Act.

Commence-  
ment.

**16.** This Act shall come into force on the day it receives the Royal Assent.

Short title.

**17.** This Act may be cited as *The Home Owners' Protection Act, 1951*.

BILL

An Act to protect Home Owners'  
Equities

*1st Reading*

February 8th, 1951

*2nd Reading*

*3rd Reading*

MR. ELLIS

No. 86

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

**An Act to amend The Hours of Work and Vacations with Pay Act**

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MR. BROWN

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TORONTO  
PRINTED AND PUBLISHED BY BAPTIST JOHNSTON  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

#### EXPLANATORY NOTES

SECTION 1: The provision for at least two weeks vacation after the second and subsequent years of employment is new.

The provision that the vacation must be given at one time is new.

The 4% provision in respect of the second and subsequent years of employment is new.

SECTION 2: The 4% provision in respect of the second and subsequent years of employment is new.

# BILL

## An Act to amend The Hours of Work and Vacations with Pay Act

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly\* of the Province of Ontario,  
enacts as follows:

1. Subsections 2, 3 and 4 of section 2 of *The Hours of Work and Vacations with Pay Act* are repealed and the following substituted therefor: Rev. Stat.,  
c. 173, s. 2,  
subss. 2, 3, 4,  
re-enacted.

(2) Subject to this Act, every employee in an industrial Vacations.  
undertaking shall be given a vacation of at least  
one week with pay after the first working year of  
his employment and at least two weeks with pay  
after the second and each subsequent year of his  
employment.

(3) The employer may determine when each employee Period of  
vacation.  
may take the vacation provided for in subsection 2,  
but the whole of such vacation shall be given at one  
time and within 10 months after the conclusion of  
the working year.

(4) The amount of pay for the vacation provided for in Amount of  
pay for  
vacation.  
subsection 2 shall not be less than an amount equal  
to two per cent, in the case of the vacation after the  
first year of employment, and four per cent, in the  
case of the vacation after the second and each sub-  
sequent year of employment, of the pay received by  
the employee for all work done by him in the working  
year.

2. Clause *f* of section 10 of *The Hours of Work and Vacations with Pay Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 173, s. 10,  
cl. *f*,  
re-enacted.

(*f*) providing, in lieu of a vacation with pay, for the  
payment to an employee who has ceased to be  
employed by an employer of an amount equal to  
two per cent, in the case of an employee who has

worked less than one year, and four per cent, in the case of an employee in his second or subsequent year of employment, of the pay received by the employee for all work done by him in the period of employment in that year, and fixing the minimum periods of employment to which a regulation made under this clause shall apply;

. . . . .

Short title.

**3.** This Act may be cited as *The Hours of Work and Vacations with Pay Amendment Act, 1951*.

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BILL

An Act to amend The Hours of  
Work and Vacations with Pay Act

*1st Reading*

February 12th, 1951

*2nd Reading*

*3rd Reading*

MR. BROWN

No. 87

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Insurance Act

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MR. MILLARD

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TORONTO  
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#### EXPLANATORY NOTE

The purpose of this amendment is to provide that it is an offence to induce an insured to change to a different insurer only if such change is induced by a false or misleading statement or representation.

# BILL

## An Act to amend The Insurance Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 304 of *The Insurance Act* is amended by inserting Rev. Stat., c. 183, s. 304, amended. after the word "who" in the second line the words "by any false or misleading statement or representation", so that the section shall read as follows:

304. Any person licensed as an agent for life insurance Twisting life insurance policies prohibited. under this Act who by any false or misleading statement or representation induces, directly or indirectly, an insured to lapse, forfeit or surrender for cash, or for paid up or extended insurance, or for other valuable consideration, his contract of life insurance with one insurer in order to effect a contract of life insurance with another insurer, or makes any false or misleading statement or representation in the solicitation or negotiation of insurance, or coerces or proposes, directly or indirectly, to coerce a prospective buyer of life insurance through the influence of a business or a professional relationship or otherwise, to give a preference in respect to the placing of life insurance which would not be otherwise given in the effecting of a life insurance contract, shall be guilty of an offence.

2. This Act may be cited as *The Insurance Amendment Act, 1951.* Short title.

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BILL

An Act to amend The Insurance Act

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*1st Reading*

February 12th, 1951

*2nd Reading*

*3rd Reading*

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MR. MILLARD

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No. 88

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3RD SESSION, 23RD LEGISLATURE, ONTARIO  
15 GEORGE VI, 1951

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# BILL

An Act to amend The Marriage Act

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MR. DENNISON

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TORONTO  
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#### EXPLANATORY NOTE

The purpose of this Bill is to require both parties to an intended marriage to have a blood test taken in order to determine the presence of syphilis and the result of the tests made with respect to each of the parties must be made known to both of them.



# BILL

## An Act to amend The Marriage Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Marriage Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 222,  
amended.

9a.—(1) No marriage licence or certificate in lieu of marriage licence shall be issued and no marriage <sup>Blood test before marriage.</sup> shall be solemnized under the authority of any proclamation of intention to intermarry unless the persons intending to intermarry have produced a certificate in respect to each such person certifying,

(a) that a specimen of blood taken from such person not more than twenty days before,

(i) the issue of the licence or certificate, or

(ii) the solemnization of the marriage where the intention of the persons to marry has been published as provided by section 15,

has been submitted to a standard laboratory test for syphilis in a laboratory approved by the Minister of Health; and

(b) that the result of such test as indicated in a certificate signed or purporting to be signed by the director of such laboratory has been made known to both parties to the intended marriage.

(2) Any person who contravenes any provision of this <sup>Penalty.</sup> section shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$20 and not more than \$100.

Exception  
in case of  
extreme  
urgency.

(3) Notwithstanding the provisions of subsection 1, the Provincial Secretary, where,

(a) the approval in writing of the Minister of Health has been secured; and

(b) each of the parties to the intended marriage has submitted a statutory declaration that to the best of his knowledge and belief he is free from syphilis,

may authorize the issuance of a marriage certificate.

Rev. Stat.,  
c. 222, s. 35,  
subs. 2,  
amended.

2. Subsection 2 of section 35 of *The Marriage Act* is amended by adding thereto the following item:

3a. Any certificate under section 9a.

Rev. Stat.,  
c. 222, s. 48,  
amended.

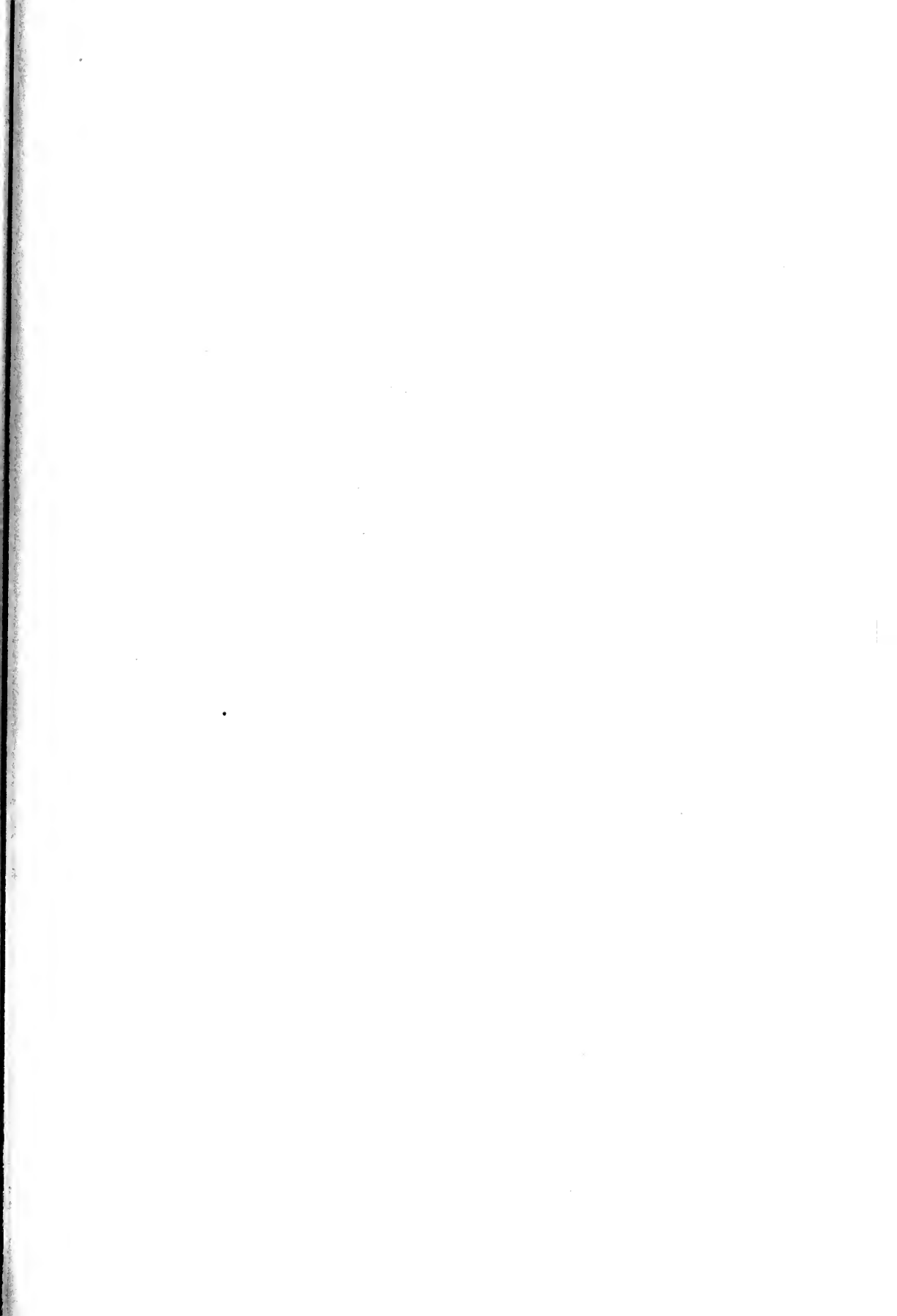
3. Section 48 of *The Marriage Act* is amended by adding thereto the following subsection:

Penalty for  
impersona-  
tion.

(2) Every person who impersonates any other person for the purpose of obtaining a certificate required by section 9a shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$200 and not more than \$500 or to imprisonment for a term of not more than one year, or to both.

Short title.

4. This Act may be cited as *The Marriage Amendment Act, 1951*.







BILL

An Act to amend The Marriage Act

*1st Reading*

February 13th, 1951

*2nd Reading*

*3rd Reading*

MR. DENNISON











